

[TITLE 14. ZONING AND PLANNING](#)

[CHAPTER 14-300. COMMERCIAL DISTRICTS](#)

## CHAPTER 14-300. COMMERCIAL DISTRICTS

### § 14-301. Classes. [111](#)

(1) The commercial districts shall be designated as:

"C-1" Commercial

"C-2" Commercial

"C-3" Commercial

"C-4" Commercial

"C-5" Commercial

"C-6" Commercial

"C-7" Commercial

"Office Commercial"

"Neighborhood Shopping Center"

"Area Shopping Center"

### § 14-302. "C-1" Commercial District. [112](#)

(1) *Use Regulations.* The specific uses permitted in this district shall be the erection, construction, alteration or use of buildings and/or land for:

(a) The residential uses permitted in the most restricted bounding district, whether contiguous to or across the street; provided, however, that when said use is in an attached or semi-detached building, the regulations of the residential district of the building to which it is attached shall apply; except that existing buildings erected prior to May 26, 1982 may be converted to duplex dwellings, provided that no portion of the building is or would be used for any commercial purposes. [113](#)

(.1) Commercial activity shall not be permitted in a converted duplex dwelling as specified above. [114](#)

(b) The following uses in completely enclosed buildings dealing directly with the consumer and in no case above the first story of the building; provided, that for buildings erected after the effective date of this Section, no single use, nor any combination thereof shall occupy more than 2,000 square feet of gross floor area: [115](#)

(.1) Sales at retail, separately or in any combination of: Antiques, books, confectionery goods, cosmetics, draperies, drugs, dry goods, electric appliances and fixtures, floor coverings, food products to include bakery goods, fruits and vegetables, groceries and meat, garden supplies, gifts, hardware, household appliances, hobby and handicraft merchandise, jewelry, luggage, newspapers and magazines, optical or orthopedic goods, packaged paints and wallpaper, photographic equipment, stationery, variety store merchandise, wearing apparel, watches and clocks; [116](#)

(.2) Barber, beauty shop, hat cleaning, tailor shop;

(.3) Business or professional office or agency, financial institution;

(.4) Day care for twelve (12) or fewer children, except in the Sixth and Tenth Councilmanic District; [117](#)

(.5) Florist, not including accessory greenhouses;

(.6) Hand laundry, laundry pick-up agency and/or dry cleaning pick-up agency and each use, singly or in any combination;

(.7) Funeral parlors, including the sale of mortician goods; [118](#)

(.8) Accessory uses, customarily incidental to any of the above permitted uses; provided, that the accessory use does not occupy more than 25% of the gross floor area, and does not include open air storage of materials, equipment or merchandise.

*(2) Area Regulations. [119](#)*

(a) All buildings in any "C-1" District shall be governed by the area regulations of the most restrictive bounding district, whether contiguous to or across the street; provided, however, that when said building is attached to another building which is in another District, the area regulations of that District shall apply.

(b) The conversion of an existing building erected prior to May 26, 1982 to a duplex dwelling need not comply with any rear yard requirements as specified in subparagraph (a) above; provided, however, if any additions or extensions are erected, the provisions as specified in subparagraph (a) above shall apply.

(3) *Height Regulations.* All buildings in any "C-1" District shall follow the height regulations of the most restrictive bounding Residential District, whether contiguous to or across the street; provided, however, that when said building is attached to another, the regulations of the Residential District of the building to which it is attached shall apply.

*(4) Off-street Parking.*

(a) All buildings in any "C-1" District shall follow the parking requirements of the most restrictive bounding Residential District, whether contiguous to or across the street; provided, however, that when said building is attached to another, the regulations of the Residential District of the building to which it is attached shall apply.

(b) Each off-street parking space shall comply with all of the provisions of § [14-1403](#) of this Title.

(5) *Signs.* Signs accessory to uses on the premises shall be permitted in this district only under the following conditions:

(a) Only one sign shall be permitted on each building, and it shall not exceed one square foot for each linear foot of building facing any and only one street, shall be constructed facing only on that street designated for the above computation, and must be attached flat against the wall of the building;

(b) Signs may be illuminated; provided, the illumination shall be focused upon the sign itself, so as to prevent glare upon the surrounding areas, but it shall not be flashing, intermittent, or animated illumination;

(c) Signs which revolve shall be prohibited;

(d) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.

### **§ 14-303. "C-2" Commercial District.**

(1) *Use Regulations – General.* The uses permitted in this district shall be:

(a) In completely enclosed building unless otherwise specified;

(b) As respects the sale of goods or merchandise, shall be at retail;

(c) As respects the rendering of services, shall be with the ultimate consumer.

(2) *Use Regulations – Without Certificate.* [120](#) Subject to the provisions of (1) above, where applicable, the specific uses permitted in this district shall be the erection, construction, alteration or use of buildings and/or land for:

(a) The uses permitted in any Residential District, except attached buildings used solely for dwelling purposes. All use qualifications provided in Residential Districts are not required in this district;

(b) The following sales, separately or in any combination: Antiques, art goods and artists' supplies; automobiles and parts, excluding installation; bakery goods; bicycles; motorcycles; boats and farm equipment; books; photographic equipment; china; glass and metalware; confectionery goods; cosmetics; department store merchandise; draperies; drugs; dry goods; electric appliances and fixtures; floor coverings; florist merchandise; fruits and vegetables; furniture; garden supplies; gifts; groceries; hardware; hobby and handicraft merchandise; household appliances; jewelry; luggage; meat; music material and merchandise; musical instruments; newspapers and magazines; office equipment and supplies; optical and orthopedic goods; packaged paints; radio and television sets and parts; seafood except as provided in subparagraph (3)(t) below; sporting goods; stationery; variety store merchandise ("5-and-10-cent store"); wallpaper; watches and clocks; wearing apparel; [121](#)

(c) Barber, beauty shop, bicycle rental, costume and clothing rental, hat cleaning, photographer, tailor shop, taxidermist; [122](#)

(d) Blueprinting, duplicating, and kindred reproduction services, not to exceed 1,500 square feet in gross floor area; [123](#)

(e) Business or professional office or agency, financial institution, school, radio or television studio (for transmission towers, see (3)(o) below); [124](#)

(f) Farmers Market; [125](#)

(g) Funeral parlors, including the sale of morticians' goods; [126](#)

(h) Hand laundry, laundry pick-up agency and/or dry cleaning pick-up agency, and each use, singly or in any combination, not to exceed 1,500 square feet in gross floor area; [127](#)

(i) Instruction in music, arts, or sciences; [128](#)

(j) Laboratories (analytical, chemical, and research) and assay offices, not to exceed 1,500 square feet in gross floor area; [129](#)

(k) Personal service or treatment of patients; [130](#)

(l) Post offices; [131](#)

(m) Printing, publishing, and related trades and arts, not to exceed 1,500 square feet in gross floor area; [132](#)

(n) Private open-air parking lot, incidental and contiguous to any uses permitted in this district (subject to the provisions of Chapter [14-1400](#) of this Title); [133](#)

(o) Repair of household appliances and fixtures, jewelry, musical instruments, photographic equipment, radio and television equipment, shoes, dental or prosthetic laboratories, or optical lens grinding, not to exceed 1,500 square feet in gross floor area; [134](#)

(p) Restaurant (see (3)(p) below), café, soda or ice cream fountain, or catering, including outdoor dining areas; [135](#)

(q) Treatment or sale of pet birds and pet animals, and animal hospitals, not to include dog kennels or public stables; [136](#)

(r) Water booster or sewer substations, telephone exchange buildings, railroad passenger stations, electric transforming or gas regulating substations; provided, that any facilities used in connection with an electric transforming or gas regulating substation located in the open-air shall: [137](#)

(.1) not be within 50 feet of any Residential District;

(.2) have a green belt at least 4 feet high containing evergreens, shrubbery and/or trees to be planted and maintained in an area at least 10 feet in depth around the entire inside perimeter of the lot, except at points of ingress or egress;

(.3) shall not be used for the storage of equipment or vehicles;

(s) Accessory uses, customarily incidental to any of the above permitted uses; provided, that the accessory use does not occupy more than 25% of the gross floor area, and does not include open air storage of materials, equipment or merchandise, except as provided in subparagraph (n) above. Accessory use shall not include the preparation and sale at retail of food to be consumed off premises whether by a restaurant, café, soda or ice cream fountain. [138](#)

(3) *Use Regulations – With Certificate*. The following uses will be permitted in this district only if a Zoning Board of Adjustment Certificate, as hereinafter provided, is obtained, and only in completely enclosed buildings except in paragraphs (d), (j), (l), (m), (o), and (w): [139](#)

(a) Amusement arcades; [140](#)

(b) Athletic and drill hall, dance hall, theater, motion picture theater, and other entertainment of guests and patrons as a main use; [141](#)

(c) Automobile repair shop (not including body and fender work, or painting), and repair shops not listed in Section [14-303](#)(2), *Use Regulations – Without Certificate*; [142](#)

(d) Automobile service station for the retail sale of automobile fuels, lubricants, radiator fluids and accessories, and for the performance indoors of incidental service and minor repairs to automobiles (not including body and fender work or painting, clutch, cylinder, differential or transmission repairs) incidental car washing indoors in an area not to exceed 400 square feet, and the inspection of automobiles; provided, the same is licensed by the Commonwealth of Pennsylvania; [143](#)

(e) Bath house and indoor swimming pool as a main use; [144](#)

(f) Billiards, pool and bowling; [145](#)

(g) Bottling and/or distributing of liquids for human consumption; [146](#)

- (h) Central heating plant; [147](#)
- (i) Courtroom or courthouse building; [148](#)
- (j) Garages and parking as a main use; [149](#)
  - (.1) public garage; [150](#)
  - (.2) private garage; [151](#)
  - (.3) public parking lot; [152](#)
  - (.4) private parking lot, except as permitted under paragraph (2)(n) above; [153](#)
  - (.5) automobiles sales lot; [154](#)
- (k) Installation of auto, boat, motorcycle or truck parts; [155](#)
- (l) Open air theater, open air motion pictures, and other open air entertainment; [156](#)
- (m) Outdoor amusement parks, athletic and sports fields, outdoor swimming pools, and day camps; [157](#)
- (n) Penal and correctional institutions (public); [158](#)
- (o) Radio or television transmission tower; [159](#)
- (p) Restaurant which serves patrons who remain in their automobiles; take-out restaurant; delicatessen; and, restaurant, café or soda and ice cream fountain which dispenses food at retail through a window or aperture which opens onto the sidewalk or public arcade area; [160](#)
- (q) Retail dry cleaning establishment using nonflammable solvents as approved by the Department of Licenses and Inspections; [161](#)
- (r) Retail sale of packaged beverages as a main use and the retail sale of malt beverages for take-out as an accessory use. [162](#)
- (s) Retail sale of picture frames, candles, ceramics, leather goods, and related handy-craft items with accessory making or assembling of same with hand tools only, not to exceed 1,000 square feet in gross floor area; [163](#)
- (t) Sales of live poultry, live fish, or live animals for human consumption; [164](#)
- (u) Self-service laundry using residential type washing machines; provided, said use complies with the following terms and conditions: [165](#)
  - (.1) such use does not exceed 2,500 square feet in gross floor area; and
  - (.2) such use shall be permitted only from 6 A.M. to 1 A.M.; and
  - (.3) lights located on the outside of the premises shall not be permitted to remain lighted after 12 o'clock midnight;
- (v) Self-service dry cleaning establishment; provided: [166](#)
  - (.1) The Fire Marshal shall have certified that the premises, machines, equipment and materials are in compliance with the Fire Code as set forth in Chapter 5-800; [167](#)
  - (.2) An attendant over 21 years of age and trained in the use of the equipment on the premises employed by the licensee shall be present at all times when the premises where the self-service dry cleaning establishment is located is open for business;
  - (.3) No operator of any coin-operated dry cleaning equipment shall use or permit to be used any

solvent other than that which has been approved, by the manufacturer of the equipment, for use therein;

(.4) An interlock system shall be provided on the machine to prevent the loading door from being opened during the normal cycle. Said system may be electrical or mechanical and so connected as to remain effective in case of power failure;

(.5) The licensee shall permit only the front side of the dry cleaning machines to be accessible to the customers. The working or maintenance portion of the machines shall be so constructed, located and maintained so as to be not accessible to the customer. At no time when customers are present shall the concentration of vapors, in the customer area from the dry cleaning solvent exceed one hundred parts per million;

(.6) There shall be prominently posted on the premises the name, address and telephone number of the owner or operator of said business and there shall be a public telephone on the premises in a conspicuous location;

(.7) Such use does not exceed 2,500 square feet in gross floor area;

(.8) Such use shall be permitted only from 6 A.M. to 1 A.M.;

(.9) Lights located on the outside of the premises shall not be permitted to remain lighted after 12 o'clock midnight;

(w) Trolley and cab stations, bus terminals, car and bus barns; [168](#)

(x) Uses customarily accessory and incidental to the uses specified in subparagraphs (a) through (w) above; [169](#)

(y) A use of the same general character as the uses specified in subparagraphs (a) through (w) above. [170](#)

#### (4) *Area Regulations.*

(a) *Occupied Area.* Not more than 75% of the lot area on intermediate lots and 80% on corner lots shall be occupied by buildings.

(b) *Open Area.* The open area shall be not less than 25% of the lot area on intermediate lot and 20% on corner lots and shall consist of at least the required minimum rear yard in all cases, plus such other open courts and/or side yards as shall be required to equal an area not less than the total open area above required.

(c) *Building Set-back Line.* No building set-back line shall be required in this district.

(d) *Side Yards and Courts.* When side yards or courts are used, except inner courts and courts between wings of the same building, they shall have a minimum width of five feet (subject to exception, see § [14-104\(12\)](#)).

(e) *Open Court Between Wings of the Same Building.* The minimum width between wings shall be 12 feet.

(f) *Inner Court.* The least dimension of an inner court shall be eight feet. Minimum area for such court shall be 100 square feet. Such courts of less area than 300 square feet shall not be permitted for any building used for dwelling purposes except when used as vent shafts.

(g) *Rear Yard and Rear Yard Area.*

(.1) Buildings used for commercial purposes and/or containing less than three families shall have a rear yard with a minimum depth of not less than 10% of the lot depth, but in no case less than eight feet.

(2) Buildings containing three or more families shall have a rear yard with a minimum depth of nine feet, and a minimum Rear Yard Area of 344 square feet, plus an additional 100 square feet of Rear Yard Area for each additional family more than three families.

(5) *Height Regulations.*

(a) The maximum height of a dwelling shall be 35 feet above the average ground level at the base of the structure, but in no case over three stories.

(b) The permitted height of non-residential buildings shall be 35 feet except that one foot of additional height may be added for each additional foot the building sets back from all lot lines; provided, however, that the maximum height of such buildings shall be 60 feet (subject to the provisions of § [14-231\(2\)](#)).

(6) *Off-street Loading.* Off-street loading spaces shall be provided in accordance with Section [14-1405](#) of this Title.

(7) *Off-street Parking.* See Chapter [14-1400](#) of this Title.

(8) *Signs.* Signs accessory to use on the premises shall be permitted in this district only under the following conditions: [171](#)

(a) Lots facing one street line shall be permitted a total sign area of six square feet for each lineal foot of street line;

(b) Lots facing more than one street line shall be permitted a total sign area as follows:

(.1) For the shorter street line frontage there shall be permitted a sign area of 6 square feet for each lineal foot of street line;

(.2) For the longer street line frontage there shall be permitted a sign area of 4 square feet for each lineal foot of street line; provided, that in no case shall the total sign area on the longer street line frontage be less than the equivalent sign area permitted upon the shorter street line frontage;

(.3) Where a lot has two or more short and/or two or more long street line frontages, the provisions of (.1) and (.2) shall apply to each of said street frontages;

(.4) The total of the sign areas permitted in subparagraphs (.1) and (.2) may be cumulated; provided, such use is restricted to one street frontage;

(c) Signs which are free-standing structures on the ground shall not exceed 20 feet in height, measured from the average level of ground of the lot to the top of said structure;

(d) Signs may be animated or illuminated; provided, the illumination shall be focused upon the sign itself so as to prevent glare upon the surrounding area;

(e) Signs with flashing or intermittent illumination shall not be erected within 150 feet of any Residential District, nor facing any Residential District within 300 feet of the sign;

(f) Signs which revolve shall be prohibited;

(g) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.

### **§ 14-304. "C-3" Commercial District.**

(1) *Use Regulations.* The specific uses permitted in this district shall be the erection, construction, alteration, or use of buildings and/or land for:

(a) Self-service laundry using residential type washing machines; provided, said use complies with the



following terms and conditions: (1) Such use does not exceed 2,500 square feet in gross floor area; and (2) Such use shall be permitted only from 6 A.M. to 1 A.M.; and (3) Lights located on the outside of the premises shall not be permitted to remain lighted after 12 o'clock midnight;

(b) Self service dry cleaning establishment; provided

(.1) The Fire Marshal shall have certified that the premises, machines, equipment and materials are in compliance with the Fire Code as set forth in Chapter 5-800. [172](#)

(.2) An attendant over 21 years of age and trained in the use of the equipment on the premises employed by the licensee shall be present at all times when the premises where the self service dry cleaning establishment is located is open for business.

(.3) No operator of any coin operated dry cleaning equipment shall use or permit to be used any solvent other than that which has been approved, by the manufacturer of the equipment, for use therein.

(.4) An interlock system shall be provided on the machine to prevent the loading door from being opened during the normal cycle. Said system may be electrical or mechanical and so connected as to remain effective in case of power failure.

(.5) The licensee shall permit only the front side of the dry cleaning machines to be accessible to the customers. The working or maintenance portion of the machines shall be so constructed, located and maintained so as to be not accessible to the customer. At no time when customers are present shall the concentration of vapors, in the customer area from the dry cleaning solvent exceed one hundred parts per million.

(.6) There shall be prominently posted on the premises the name, address and telephone number of the owner or operator of said business and there shall be a public telephone on the premises in a conspicuous location.

(.7) Such use does not exceed 2,500 square feet in gross floor area.

(.8) Such use shall be permitted only from 6 A.M. to 1 A.M.

(.9) Lights located on the outside of the premises shall not be permitted to remain lighted after 12 o'clock midnight;

(c) All other uses permitted in "C-2" Commercial Districts, subject to all the use qualifications set forth therein, except:

(.1) That all gross floor area limitations are removed;

(.2) That the said uses may be conducted at wholesale; and

(.3) That the following uses shall not require a Zoning Board of Adjustment Certificate: [173](#)

(.a) amusement arcades;

(.b) athletic and drill hall, dance hall, theater, motion picture theater and other entertainment of guests and patrons as a main use;

(.c) bath house and indoor swimming pool;

(.d) billiards, pool and bowling;

(.e) central heating plant;

(.f) courtroom or courthouse building;

(.g) installation of auto, boat, motorcycle or truck parts accessory to sales of same;



(h) outdoor amusement parks, athletic and sports fields, outdoor swimming pools, and day camps;

(i) penal and correctional institutions (public); [174](#)

(j) retail sale of picture frames, candles, ceramics, leather goods, with accessory making or assembling of same with hand tools only, not to exceed 1,000 square feet in gross floor space; [175](#)

(d) Car washing establishment, using mechanical equipment for the purpose of washing and/or polishing automobiles and other vehicles; provided, a Zoning Board of Adjustment certificate, as herein provided, is obtained. Such Zoning Board of Adjustment certificate shall only be issued where such use will have on the premises: (1) a waiting area for incoming cars accessible to the entrance end of the washing equipment, of at least 4,000 square feet, and (2) an area beyond the exit end of the washing equipment, of at least 400 square feet, so situated as to be usable for the hand finishing of the washing process;

(e) Heliports, provided, a Zoning Board of Adjustment certificate, as herein provided, is obtained;

(f) Accessory uses, customarily incidental to any of the above permitted uses; provided, that the accessory use does not occupy more than 25% of the gross floor area, and does not include open air storage of materials, equipment or merchandise;

(g) An outdoor advertising and/or non-accessory advertising sign as permitted in Section 14-1604. [176](#)

(2) *Area Regulations.*

(a) *Occupied Area.*

(.1) Buildings containing one or more families shall not occupy more than 75% of the lot area on intermediate lots and not more than 80% on corner lots;

(.2) Buildings other than dwellings shall not occupy more than 90% of the lot area on intermediate lots and not more than 95% on corner lots.

(b) *Open Area.* The open area for buildings containing one or more families shall be not less than 25% of the lot area on intermediate lots and 20% on corner lots, and for buildings other than dwellings the open area shall be not less than 10% of the lot area on intermediate lots and 5% on corner lots. Such open areas shall consist of at least the required minimum rear yards in all cases plus such other front or side yards and/or open courts as shall be required to equal an area not less than the total open area herein required.

(c) *Building Set-back Line.* No building set-back line shall be required in this district, subject to the provisions of (.2) and (.3) below. [177](#)

(d) *Yards and Courts.*

(.1) *Additions to Existing Buildings, and Newly Erected Buildings which Contain Less than Three Families.*

(.a) *Front Yards.* No front yards shall be required.

(.b) *Side Yards and Open Courts.* When side yards or open courts are used, except open courts between wings of the same building, they shall have a minimum width of five feet for a building not over three stories in height and a minimum of eight feet for buildings over three stories (subject to exception, see § [14-104](#)(12)).

(.c) *Open Courts Between Wings of the Same Building.* The minimum width between wings of the same buildings shall be 12 feet.

(.d) *Inner Courts.* The least dimension of an inner court shall be eight feet. Minimum area for such

court shall be 100 square feet. Such court of less area than 300 square feet shall not be permitted for any building used for dwelling purposes, except when used as vent shafts.

*(.2) Newly Erected Buildings Containing Three or More Families, and Less than Five Stories in Height.* [178](#)

*(a) Yards and Courts With Legally Required Windows.* Any wall with one or more legally required windows shall be located so that every point of the wall shall be a minimum horizontal distance which is not less than the height of the wall, from: (1) the opposite side of any street which the wall faces, (2) any facing lot line which is not a street line, (3) any opposing wall on the same lot; provided, that every inner court shall have a minimum horizontal dimension equal to or greater than the average height of the walls forming the court.

*(b) Yards and Courts Without Legally Required Windows.* Yards and courts without legally required windows shall be governed by the following provisions:

Front yards and rear yards shall not be required.

Side yards and open courts, when used, shall have a minimum width of eight feet.

Open courts between wings of the same building shall have a minimum width of twelve feet.

Inner courts shall have a least dimension of eight feet, and a minimum area of one hundred square feet.

*(.3) Newly Erected Buildings Containing Three or More Families and Five Stories or Over in Height.*

*(a) Yards and Courts With Legally Required Windows.* Any wall with one or more legally required windows shall be located so that every point of the wall shall be a minimum horizontal distance of fifty feet from: (1) the opposite side of any street which the wall faces, (2) any facing lot line which is not a street line, (3) any opposing wall on the same lot; provided, that every court between wings of the same building shall have no required minimum horizontal dimension but the depth shall not be greater than the width of the court, and every inner court shall have a minimum horizontal dimension equal to or greater than the average height of the walls forming the court.

*(b) Yards and Courts Without Legally required Windows.* Yards and courts without legally required windows shall be governed by the following provisions:

Front yards and rear yards shall not be required.

Side yards and open courts, when used, shall have a minimum width of eight feet.

Open courts between wings of the same building shall have a minimum width of twelve feet.

Inner courts shall have a least dimension of eight feet, and a minimum area of one hundred square feet.

*(3) Height Regulations.* There shall be no height regulations except as height may be limited by the other applicable provisions of this district.

*(4) Floor Area.*

*(a)* The gross floor area (as defined in § [14-102\(57\)](#)) of any building containing three or more families, except for the construction of new hotels, shall not exceed 450% of the area of the lot. [178.1](#)

*(b)* The gross floor area (as defined in § [14-102\(57\)](#)) of any building containing less than three families, and for the construction of new hotels, shall not exceed 550% of the area of the lot. [178.2](#)

*(5) Off-street Loading.* Off-street loading spaces shall be provided in accordance with Section [14-1405](#)

of this Title.

(6) *Off-street Parking*. See Chapter [14-1400](#) of this Title.

(7) *Signs*. Signs accessory to uses on the premises shall be permitted in this district only under the following conditions: [179](#)

(a) Lots facing one street line shall be permitted a total sign area of ten square feet for each lineal foot of street line;

(b) Lots facing more than one street line shall be permitted a total sign area as follows:

(.1) For a shorter street line frontage there shall be permitted a sign area of ten square feet for each lineal foot of street line;

(.2) For a longer street line frontage there shall be permitted a sign area of five square feet for each lineal foot of street line; provided, that in no case shall the total sign area on the longer street line frontage be less than the equivalent sign area permitted upon the shorter street line frontage;

(.3) Where a lot has two or more short and/or two or more long street line frontages, the provisions of (.1) and (.2) shall apply to each of said street frontages;

(c) Where a building is more than three stories high, 10% of additional sign area shall be permitted for each story over three, to be calculated using the total sign area permitted by subparagraphs (a) or (b) above as the base for the 10% calculation in each case;

(d) The total of the sign areas permitted in subparagraphs (b) and (c) may be cumulated; provided, such use is restricted to one street frontage;

(e) Signs which are free-standing structures on the ground shall not exceed 20 feet in height, measured from the average level of ground of the lot to the top of said structure;

(f) Signs may be animated or illuminated; provided, that the illumination shall be focused upon the sign itself so as to prevent glare upon the surrounding areas;

(g) Signs with flashing or intermittent illumination shall not be erected within 150 feet of any Residential District, nor facing any Residential District within 300 feet of the sign;

(h) Signs which revolve shall be prohibited;

(i) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.

### **§ 14-305. "C-4" Commercial and "C-5" Commercial Districts. [180](#)**

(1) *Legislative Findings*. The Council finds that:

(a) The current system of floor area bonuses in the Zoning Code, in many cases, has resulted in the construction of buildings with public space that is unattractive, inaccessible and which makes little contribution to the ambiance or the pedestrian experience of Center City.

(b) Requiring enhanced public access, seating, landscaping, lighting, public art and other amenities as part of high density commercial and residential developments in "C-4" Commercial and "C-5" Commercial Districts would have a positive impact on the appearance and function of those developments, would provide attractive, accessible and useable public space for the occupants of these buildings as well as for visitors and the general public and would contribute to the economic and social vitality of the City of Philadelphia.

(c) Philadelphia has long been recognized and noted for encouraging public art through requirements

in the City Charter and of the Redevelopment Authority and the City's collection of public art is a distinctive asset. Inclusion of public art in the public space of all major new buildings will enhance the appearance of these buildings as well as expand the public enjoyment and experience associated with the public space. Therefore, public art should be provided as an integral part of the public space requirements for buildings for which additional gross floor area is granted.

(d) The current requirements of the "C-4" Commercial and "C-5" Commercial Districts do not include design standards which adequately address the provision of light and air to adjacent public sidewalks and streets.

(e) Because Philadelphia's Center City is concentrated, is built on a grid system of streets, and is served by accessible public transit, it has become known for having "a walkable downtown". The retention of the ambiance of bright, attractive streets and sidewalks is important to maintaining this image and function. Therefore, buildings should be designed so as to minimize the adverse impact upon the availability of light and air to the public sidewalks, and to minimize the adverse effect upon the abutting sidewalk of other functions related to the building, such as parking and loading.

(f) Despite the demonstrated need for retail commercial space to serve the occupants of office buildings and to enliven the abutting sidewalks and public spaces, such retail space is currently not required nor encouraged under the provisions of the Zoning Code.

(g) While loading and unloading of trucks in the public streets and onto and across the public sidewalk often creates pedestrian and vehicular safety hazards, congestion and other traffic problems, the current provisions of the "C-4" Commercial and "C-5" Commercial Districts do not regulate open air loading and unloading.

(h) The storage and disposal of trash and garbage is the responsibility of the owner of the building. The use of the public streets and sidewalks to store and handle the trash and garbage from Center City commercial establishments contributes greatly to litter throughout Center City and constitutes a threat to public health and safety. Therefore, storage of trash and disposal of garbage should be accommodated within the building.

(i) The demolition of buildings to allow for surface parking lots has had a negative impact on retail continuity in Center City, has impaired the architectural and/or historical context of many areas of Center City and has resulted in the proliferation of curb cuts, which has had a negative impact upon the safety and flow of pedestrian and vehicular traffic.

(j) Center City Philadelphia is noted for the close relationship between the business core and surrounding residential neighborhoods. These neighborhoods are predominantly characterized by a mixture of two (2) to five (5) story houses, many of which are more than one hundred (100) years of age. Philadelphia has had a long tradition of historic preservation. An important element of preservation is the retention of the historic scale of the residential neighborhoods and the scale of development where the business core abuts the neighborhoods. Accordingly, special bulk and height controls are desirable and necessary to control new development south of Chestnut street.

(k) Another important element in preserving the historic scale of the residential neighborhoods of Center City is to discourage the destruction of historic buildings because they are believed to be no longer economically viable. This can occur because of market forces, because existing zoning permits a building to be replaced by a larger building or because a building does not generate enough revenue to sustain its existence. The sale and transfer of the excess development rights of historic properties to other properties, located in areas of the business core where dense commercial development is appropriate, would generate funds to make such properties more economically viable and to permit and encourage preservation and maintenance of historic properties.

(l) Center City Philadelphia is well served by public transportation facilities which provide ease of access to tenants, employees and customers of Center City buildings. Increased usage and demands upon these facilities result from increased levels of development. In order to maintain these facilities and to mitigate against this impact, developers of major new buildings should be encouraged to maintain, construct, rehabilitate or contribute to the maintenance, construction, and/or rehabilitation of public transit facilities within close proximity to their development.

(m) While new development contributes to the tax base of the City and provides employment opportunities, it also places increased demands upon the City in the form of increased pedestrian, automobile and truck traffic. Therefore, controls upon the number and location of curb cuts are necessary to protect the public safety and to facilitate pedestrian, automobile and truck traffic.

(2) *Use Regulations.* It is the intention of this Section of the Code to allow for types of uses that are commonly found in and compatible with, a high-density business core. The uses permitted in these districts are those which minimize negative impact upon and which are compatible with the use and enjoyment of the public sidewalks and public space by large numbers of people and which enliven and enhance the public use, experience and enjoyment of these spaces. Therefore, the specific uses permitted in these districts shall be the erection, construction, alteration or use of buildings and/or land for:

(a) Parking garages, whether above or below ground level when the lot on which it is located has frontage on any of the following streets:

(.1) Vine street or Callowhill street between Eighteenth street and Front street;

(.2) Delaware avenue or Interstate 95 between Spring Garden street and Chestnut street; and

(.3) Interstate 76 between Spring Garden street and Chestnut street.

(.4) The area bounded by North Broad Street, Fairmount Avenue, North 13th Street, Wallace Street and Ridge Avenue. [180.1](#)

(.5) In the area bounded by Broad Street, Carpenter Street, S. 13th Street, Kimball Street, S. 12th Street and Washington Avenue. [180.2](#)

(b) The uses permitted in "C-3" Commercial Districts subject to all the use qualifications set forth therein except:

(.1) All limitations on multiple buildings on a lot, whether stated or implied, shall not apply, provided that permanent and/or portable vendor stands, vendor carts and or retail kiosks shall be permitted only when ancillary to the main use of the property or as part of the required retail space. This provision is intended to prohibit the placement of vending machines, vendor stands and/or retail kiosks as the principal use of a lot or as a use accessory to a parking lot;

(.2) The following uses shall be prohibited:

(.a) Automobile sales lot, automobile rental or leasing lot, accessory automobile repair or service station located at or above ground level;

(.b) Commercial outdoor advertising and/or commercial non-accessory advertising signs as permitted in Section [14-1604](#);

(.c) Installation of automobile, boat, motorcycle or truck parts;

(.d) Loading and trash storage areas which have vehicular ingress and/or egress on Chestnut street or Walnut street between Front street and the Schuylkill River, on Locust street between Front street and Juniper street or between Fifteenth street and the Schuylkill River, on Spruce street east of Broad street,

or on the Benjamin Franklin parkway;

(.e) Non-accessory automobile service station for the dispensing of automobile fuels, lubricants, fluids and/or accessories;

(.f) Public parking lot;

(.g) Private parking lot, accessory to any use permitted in these districts, which is located on Chestnut street or Walnut street between Front street and the Schuylkill River, or which is located within two hundred feet of the Benjamin Franklin parkway;

(.h) Parking garages with a capacity of over five hundred (500) cars which are on a lot which is located south of the south street line of Chestnut street between Front street and the Schuylkill River, except garages on lots which have frontage on Broad street;

(.i) Parking garages on Chestnut street or Walnut street between Front street and the Schuylkill River, on Locust street between Front street and Juniper street or between Fifteenth street and the Schuylkill River, on Spruce street east of Broad street, or on the Benjamin Franklin parkway which have vehicular ingress and/or egress on Chestnut street, Walnut street, Locust street, Spruce street or the Benjamin Franklin parkway;

(.j) Restaurants which serve patrons who remain in their vehicles;

(.k) Temporary public parking lot which is located south of the south street line of Chestnut street between Front street and the Schuylkill River, which is located on the north side of Chestnut street between Front street and the Schuylkill River and which has vehicular ingress and/or egress on Chestnut street, or which is located within two hundred feet of the Benjamin Franklin parkway;

(.l) Vending machines, vendor stands and/or retail kiosks as the principal use of a lot or as a use accessory to a parking lot;

(.m) Any permitted use within an existing building or upon a lot for which a trash storage area, within the building and/or lot, as herein provided, is not provided when an application for a change of use of the building or lot requires the issuance of a new Use Registration Permit; and

(.n) Any restaurant, café, soda or ice cream fountain, catering, or preparation and sale of food to be consumed off or on the premises and/or any outdoor dining area which is placed on a lot after the effective date of this Section which does not have a garbage disposal system and a trash storage area, within the building and/or lot as herein provided.

(3) *Use Regulations, With A Special Use Permit.* [181](#) The following uses shall be permitted in these districts only if a Zoning Board of Adjustment Special Use Permit, as herein provided, is obtained:

(a) Accessory private parking lots except as prohibited in § [14-305\(2\)\(b\)\(.2\)\(.g\)](#) above;

(b) Temporary public parking lot except as prohibited in § [14-305\(2\)\(b\)\(.2\)\(.k\)](#) above;

(c) Parking garage, any portion of which is located above ground level;

(d) Parking garage or permitted accessory parking lots which are located on Broad street between Pine street and Spring Garden street (except on the west side of Broad street between Spruce street and Pine street) or on Market street between Front street and the Schuylkill River and which has vehicular ingress and/or egress on Broad street or Market street; and

(e) Loading and/or trash storage areas which are located on Broad street between Pine street and Spring Garden street (except on the west side of Broad street between Spruce street and Pine street) or on Market street between Front street and the Schuylkill River and which have vehicular ingress and/or egress on Broad street or Market street.

(4) *Area Regulations.* These regulations are intended to encourage mixed-use development that is sympathetic to and compatible with the existing pattern of development. Their goal is to protect and reinforce the historic scale of certain areas and to ensure the continuity of use and architectural scale in other areas. These regulations recognize that some areas of Center City are more appropriate than other areas for the erection of tall, dense buildings and, therefore, encourage such development in some areas while discouraging it in others. These regulations are intended to ensure that new development creates lively, well lit, attractive and useable sidewalks and public spaces and to encourage the creation of unique and exciting new areas of public enjoyment.

(a) *Occupied Area.* Subject to all other provisions and requirements of these districts as set forth below, buildings may occupy up to one hundred percent (100%) of the lot area, except that buildings of five (5) stories or less containing one (1) or more families shall not occupy more than ninety percent (90%) of the lot area.

(b) *Open Area.* Open area shall be determined by other provisions and requirements, set forth herein, except that buildings of five (5) stories or less containing one (1) or more families shall have an open area of not less than ten percent (10%) of the lot area. Yards and courts shall at least equal an area not less than the total required open space.

(c) *Open Area Above Ground Level.* In order to prevent the entire street and adjoining sidewalks and public spaces from being placed in constant shadow, buildings should occupy less of the area of the lot as they become taller. These controls should be established to enhance the utility of public space as well as the public sidewalk by providing for the penetration of sunlight and air. Therefore, development controls which require that the upper floors of buildings occupy no more than thirty percent (30%) to seventy-five percent (75%) of the lot area, are imposed as follows, provided, that when lots are located in areas which are subject to other more restrictive height and bulk controls set forth in other Sections of this Title, the most restrictive regulations shall apply:

(.1) Buildings within the basic allowable gross floor area, as provided herein, and three hundred feet or less in height above the average ground level:

(.a) For lots designated class "C-4" Commercial, and not exceeding a floor area ratio (F.A.R.) of five hundred percent (500%) and lots designated class "C-5" Commercial, and not exceeding a floor area ratio of one thousand two hundred percent (1,200%), buildings may occupy one hundred percent (100%) of the lot area for the first sixty-five feet of building height above the average ground level and no more than seventy-five percent (75%) of the lot area for portions of the building above the first sixty-five feet of building height.

(.2) Buildings in excess of the basic allowable gross floor area, as provided herein, (on lots designated class "C-4" Commercial, exceeding a F.A.R. of five hundred percent (500%) and on lots designated class "C-5" Commercial, exceeding a F.A.R. of one thousand two hundred percent (1,200%) and which are over three hundred feet in height above the average ground level:

(.a) From ground level to a point sixty-five feet above the average ground level of the lot, buildings may occupy one hundred percent (100%) of the lot;

(.b) From a point sixty-five feet above the average ground level of the lot, buildings, including mechanical space, shall occupy no more than seventy-five percent (75%) of the lot up to a point three hundred feet in height above the average ground level;

(.c) From three hundred feet above the average ground level of the lot, buildings, including mechanical space, shall occupy no more than fifty percent (50%) of the lot up to a point five hundred feet in height above the average ground level, or buildings, including mechanical space, over three hundred feet but less than five hundred feet in height above the average ground level may be



constructed so that the average lot coverage of the building above a point sixty-five feet above the average ground level of the lot, shall not exceed sixty percent (60%) of the lot;

(.d) From five hundred feet above the average ground level of the lot, buildings, including mechanical space, shall occupy no more than forty percent (40%) of the lot up to a point seven hundred feet in height above the average ground level, or buildings, including mechanical space, over five hundred feet but less than seven hundred feet in height above the average ground level may be constructed so that the average lot coverage of the building above a point sixty-five feet above the average ground level of the lot, shall not exceed fifty percent (50%) of the lot;

(.e) From seven hundred feet above the average ground level of the lot, buildings, including mechanical space, shall occupy no more than thirty percent (30%) of the lot, or buildings, including mechanical space, over seven hundred feet in height above the average ground level may be constructed so that the average lot coverage of the building above a point sixty-five feet above the average ground level of the lot, shall not exceed forty percent (40%) of the lot, provided, that in the area bounded by Arch Street, 18th Street, Cuthbert Street, and 19th Street, buildings, including mechanical space, over seven hundred feet in height above the average ground level may be constructed so that the average lot coverage of the building above a point sixty-five feet above the average ground level of the lot shall occupy no more than forty-eight and one-half percent (48.5%) of the lot. [181.1](#)

(d) *Building Set-back, Front Yards and Rear Yards.* In these districts, building set-backs, front yards and rear yards shall not be required, subject to other requirements contained herein, for legally required windows, set-backs to ensure the penetration of sunlight, set-backs to ensure continuity of development, for the adequate spacing of buildings, and/or for public space, provided, that when lots are located in areas which are subject to other more restrictive set-back or yard controls set forth in other Sections of this Title, the most restrictive regulations shall apply.

(e) *Yards and Courts.* For buildings of four (4) stories or less with less than three (3) families the following requirements shall apply:

(.1) *Side Yards and Courts.* When side yards and courts are provided they shall have a minimum width of five feet.

(f) *Yards and Courts.* For buildings of four (4) stories or less with more than three (3) families the following requirements shall apply:

(.1) *Side Yards and Courts With Legally Required Windows.* Any wall with one or more legally required window shall be located so that every point of the wall shall be a minimum horizontal distance which is not less than the height of the wall, from:

- (.a) the opposite side of any street the wall faces;
- (.b) any facing lot line which is not a street line; and
- (.c) any opposing wall on the same lot.

(.2) *Side Yards and Open Courts Without Legally Required Windows.* When side yards and courts are provided they shall have a minimum width of eight feet.

(g) *Yards and Courts.* For buildings of five (5) stories or greater with more than three (3) families the following requirements shall apply:

(.1) *Side Yards and Courts With Legally Required Windows.* Any wall with one (1) or more legally required window shall be located so that every point of the wall shall be a minimum horizontal distance which is not less than the following:

(.a) the distance to the opposite side of any street the wall faces;

(.b) twenty-five feet from any facing lot line which is not a street line, provided that this distance may be reduced by the width of any abutting property for which the air rights have been purchased or legally obtained (documentation as to the acquisition of the air rights in the form of a recordable instrument which has been approved by the Law Department and acknowledged in the deeds for both properties shall be provided to meet this exception) so as to assure that no wall or structure could be built, at any time in the future, which is at least as high or higher, above ground level, than the legally required window and, within twenty-five feet or less of the legally required windows; or

(.c) twenty-five feet from any opposing wall on the same lot, provided that the wall is at least as high or higher above ground level as the legally required window.

(.2) *Side Yards and Open Courts Without Legally Required Windows.* When side yards and courts are provided they shall have a minimum width of eight feet.

(5) *Set-back and Maximum Building Width.* The purpose of this Section is to maintain and reinforce the continuity and character of scale of the existing pattern of development on the major east/west streets south of Market street. These streets which are characterized by large number of low scale 18th, 19th and early 20th century residential and commercial buildings have served as traditional pedestrian links and/or retail shopping streets since the beginning of the City's development. The vast majority of block faces within this area of the City are characterized by numerous narrow buildings of diverse scale and architecture. Over eighty-five percent (85%) of the buildings along the major east/west streets are less than sixty feet in width. An additional twelve percent (12%) of the buildings, mostly existing on the corners of major north/south streets, are between sixty feet and one hundred feet wide. The major east/west streets are used daily by thousands of pedestrians moving through and about the city who are drawn here by the pleasant ambiance created by the richness and diversity of the buildings and the availability of a large range of goods and services found at the street level of the buildings that line the sun lighted sidewalks. These controls are intended to retain the relationship between building facades and the sidewalk, by not permitting building set-backs from certain streets, and to ensure the continued penetration of sunlight and air to the sidewalks by imposing height restrictions along the south sides of certain streets, and to continue the diversity of types and scale of buildings by imposing limits on the maximum width of buildings along certain streets. Therefore, all newly erected buildings, and additions to existing buildings shall comply with the following requirements:

(a) *Buildings or Portions of Buildings Fronting on Chestnut Street.* Buildings or portions of buildings fronting on Chestnut street between Front street and the Schuylkill River shall comply with the following requirements:

(.1) *Set-back.* Set-back of buildings or structural elements of buildings or its public space shall comply with the following requirements, except for those portions of the buildings or its public space subject to the requirements for openings and entranceways, set forth herein:

(.a) *Chestnut Street.* Buildings or portions of buildings abutting Chestnut street shall have no set-back from the street line of Chestnut street.

(.2) *Maximum Building Width.* The maximum width of any newly erected building or existing building to which an addition is added which increases the building's frontage along Chestnut street after the effective date of this Section shall comply with the following building width requirements:

(.a) *North Side of Chestnut Street.* Buildings or portions of buildings abutting the north side of Chestnut street shall not be subject to a maximum building width;

(.b) *Buildings With Frontage on Broad street.* Buildings or portions of buildings abutting Chestnut

street which also have frontage on Broad street shall not be subject to a maximum building width;

(.c) *South Side of Chestnut Street.* Buildings or portions of buildings abutting the south side of Chestnut street which also have frontage on Front street, any numbered street (Second street to Twenty-fourth street) or on Juniper street shall be built so that the total frontage of the building along Chestnut street (measured on a line parallel to Chestnut street) does not exceed one hundred feet. All other buildings shall be built so that the total frontage of the building along Chestnut street (measured on a line parallel to Chestnut street) does not exceed sixty feet.

(b) *Buildings or Portions of Buildings Fronting on Walnut Street.* Buildings or portions of buildings fronting on Walnut street between Front street and the Schuylkill River shall comply with the following requirements:

(.1) *Set-Back.* Set-back of buildings or structural elements of buildings or its public space shall comply with the following requirements, except for those portions of the building or its public space subject to the requirements for openings and entranceways, set forth herein:

(.a) *Walnut Street.* Buildings or portions of buildings abutting Walnut street shall have no set-back from the street line of Walnut street.

(.2) *Maximum Building Width.* The maximum width of any newly erected building or existing building to which an addition is added which increases the building's frontage along Walnut street after the effective date of this Section shall comply with the following building width requirements:

(.a) *North Side and South Side of Walnut Street.* Buildings or portions of buildings with frontage on the south side of Walnut street which also have frontage on Front street, any numbered street (Second street to Twenty-fourth street) or on Juniper street shall be built so that the total frontage of the building along Walnut street (measured on a line parallel to Walnut street) does not exceed one hundred feet. All other buildings shall be built so that the total frontage of the building along Walnut street (measured on a line parallel to Walnut street) does not exceed sixty feet;

(.b) *Buildings With Frontage on Broad Street.* Buildings or portions of buildings with frontage on Walnut street which also have frontage on Broad street shall not be subject to a maximum building width.

(c) *Buildings or Portions of Buildings Fronting on Locust Street.* Buildings or portions of buildings fronting on Locust street between Front street and the Schuylkill River shall comply with the following requirements:

(.1) *Set-back.* Set-back of buildings or structural elements of buildings or its public space shall comply with the following requirements, except for those portions of the building or its public space subject to the requirements for openings and entranceways, set forth herein:

(.a) *Locust Street.* Buildings or portions of buildings with frontage on Locust street shall have no set-back from the street line of Locust street.

(.2) *Maximum Building Width.* The maximum width of any newly erected building or existing building to which an addition is added which increases the building's frontage along Locust street after the effective date of this Section shall comply with the following building width requirements:

(.a) *North Side and South Side of Locust Street.* Buildings or portions of buildings with frontage on the south side of Locust street which also have frontage on Front street, any numbered street (Second street to Twenty-fourth street) or on Juniper street shall be built so that the total frontage of the building along Locust street (measured on a line parallel to Locust street) does not exceed one hundred feet. All other buildings shall be built so that the total frontage of the building along Locust street (measured on

a line parallel to Locust street) does not exceed sixty feet;

(.b) *Buildings With Frontage on Broad Street.* Buildings or portions of buildings with frontage on Locust street which also have frontage on Broad street shall not be subject to a maximum building width.

(d) *Buildings or Portions of Buildings Fronting on Spruce Street.* Buildings or portions of buildings fronting on Spruce street between Front street and the Schuylkill River shall comply with the following requirements:

(.1) *Set-back.* Set-back of buildings or structural elements of buildings or its public space shall comply with the following requirements, except for those portions of the building or its public space subject to the requirements for openings and entranceways, set forth herein:

(.a) *Spruce Street.* Buildings or portions of buildings with frontage on Spruce street shall have no set-back from the street line of Spruce street.

(.2) *Maximum Building Width.* The maximum width of any newly erected building or existing building to which an addition is added which increases the building's frontage along Spruce street after the effective date of this Section shall comply with the following building width requirements:

(.a) *North Side and South Side of Spruce Street.* Buildings or portions of buildings with frontage on the south side of Spruce street which also have frontage on Front street, any numbered street (Second street to Twenty-fourth street) or on Juniper street shall be built so that the total frontage of the building along Spruce street (measured on a line parallel to Spruce street) does not exceed one hundred feet. All other buildings shall be built so that the total frontage of the building along Spruce street (measured on a line parallel to Spruce street) does not exceed sixty feet;

(.b) *Building With Frontage on Broad Street.* Buildings or portions of buildings with frontage on Spruce street which also have frontage on Broad street shall not be subject to a maximum building width.

(e) *Openings and Entranceways.* A major goal of the area regulations of these districts is to create a system of land use controls that protect the public interest and historic context of Center City while at the same time, permitting and encouraging a broad spectrum of architectural expression. Recognizing that the way a building meets the sidewalk is of critical importance to the ambiance, utility and public enjoyment of the sidewalk, these regulations are intended to encourage the creation of street level activity by requiring certain facade elements at street level along certain streets, and to allow for architectural diversity and interest by allowing for the articulation of building facades. Therefore, entrances, windows and architectural recesses in building facades need not conform to the above listed set-back regulations, but shall comply with the following requirements for all buildings or portions of buildings with frontage on Chestnut street, Walnut street, Locust street and Spruce street.

(.1) *Entrance Arcades.* Entry arcades that do not comply with the set-back requirements set forth in § [14-305\(5\)\(a\)](#) through (d) above may be incorporated into a building facade, provided, that the entrance arcade shall not exceed in height, above the sidewalk level, more than thirty-three percent (33%) of the total facade height, further provided that, the entrance arcade shall in no case exceed forty feet in height above the sidewalk level. In addition, entry arcades shall not exceed thirty feet in width (measured on a line parallel to the street it abuts), provided that all entrance arcades must provide public access to building entrances, retail space and/or other public space; and abut active space, as defined herein, for no less than eighty percent (80%) of the perimeter walls creating the entrance arcade;

(.2) *Windows, Doors and Architectural Recesses.* Windows, doors and architectural recesses that do not comply with the set-back requirements set forth in § [14-305\(5\)\(a\)](#) through (d) above may be

incorporated into a building facade, provided, that no individual or group of windows, doors or recesses shall exceed, in width (measured on a line parallel to the street it abuts), thirty percent (30%) of the street frontage of the facade, further provided, that the combination of all windows, doors and architectural recesses shall not exceed, in width (measured on a line parallel to the street it abuts), fifty percent (50%) of the street frontage of the facade in which they are placed;

(.3) *Openings and Entrances to Public Space.* Openings and entrances to public space that do not comply with the set-back requirements set forth in § [14-305](#)(5)(a) through (d) above may be incorporated into a building facade, provided, that no individual or combinations of openings or entrances exceed, in width (measured on a line parallel to the street it abuts), thirty percent (30%) of the street frontage of the facade in which they are placed.

(f) *Active Space Requirements.* It is recognized that buildings can enhance the public pedestrian usage of the sidewalks by providing an interesting, lively and active presence at street level. Certain east/west streets south of Market street in Center City, traditionally have served as major pedestrians thoroughfares, attracting heavy pedestrian usage because of the lively, diverse ambiance that characterizes these streets. In addition to being comprised of a variety of small architecturally and historically diverse buildings, these streets, at ground level, contain uses which enliven the street. Retail shops, building lobbies, theaters, restaurants, galleries, exhibitions, churches, etc., give vitality to these streets which, in turn, benefits all of the workers and visitors in Center City. It is in the interest of the City to preserve and enhance the unique character of these streets and to continue their pleasant, active ambiance, thereby retaining an important public asset for the residents, users and visitors to Center City. It is important to require active street level usage of buildings and lots along these streets. Therefore, for lots fronting on Chestnut street, Walnut street and Locust street between Front street and the Schuylkill River, active space shall be provided along no less than eighty percent (80%) of the frontage along Chestnut street, Walnut street and Locust street.

(.1) The following uses, either individually or in any combination, shall qualify as active space in meeting requirements for such space as set forth herein:

- (.a) Retail sales areas and restaurants;
- (.b) Office, hotel and/or theater lobbies;
- (.c) Libraries, museums, galleries and exhibition space;
- (.d) Places of worship;
- (.e) Enclosed public space, enclosed gardens, public rooms, through block connections; and
- (.f) Entrances to public transit stations and/or the public transit concourse.

(6) *Set-back and Building Spacing Requirements.* It is recognized that buildings which deny the penetration of light and air to the public sidewalks detract from the use of such sidewalks by the public and sidewalks which are constantly in the twilight of building shadows are less hospitable to pedestrian usage. Carefully designed set-back and building spacing requirements can enhance the public pedestrian usage of the sidewalks by providing for the adequate penetration of sunlight and air. Therefore, these requirements are intended to ensure adequate penetration of light and air to surrounding sidewalks, public spaces and buildings, and to maintain the adequate spacing of buildings in areas of the City where buildings of the greatest height and density are permitted.

(a) *John F. Kennedy Boulevard.* For lots fronting on or south of the south side of John F. Kennedy boulevard between Fifteenth street and the Schuylkill River, the following regulations shall apply;

- (.1) *Set-back.*

(a) *John F. Kennedy Boulevard Frontage.* There shall not be a set-back required;

(b) *Frontage on Numbered Streets.* For lots with frontage on numbered streets and which are between John F. Kennedy boulevard and Market street the minimum building set-back line shall be five feet;

(.2) *Spacing of Buildings Sixty-five Feet or Greater in Height Within the First Ninety feet South of the South Side of John F. Kennedy Boulevard between Fifteenth Street and Twenty-fourth Street Inclusive.*

(a) The minimum distance between buildings, from a point sixty-five feet or greater above the average ground level, shall be seventy-five feet;

(b) Along any property line which is not a street line and which is parallel to any numbered street, the minimum distance between the building, from a point sixty-five feet or greater above the average ground level, and the property line shall be thirty-seven feet six inches.

(.3) *Aggregate Building Width For Buildings or Portions of Buildings Over Sixty-five Feet in Height.* Within the first ninety feet south of the south side of John F. Kennedy boulevard, all buildings or portions of buildings over sixty-five feet above the average ground level, measured along a line parallel with John F. Kennedy boulevard, shall have a maximum aggregate width not exceeding two hundred fifty feet or sixty-six percent (66%) (whichever is less) of the block frontage along John F. Kennedy boulevard.

(b) *Market Street.* For lots fronting on or south of the south side of Market street between Fifteenth street and the Schuylkill River the following regulations shall apply:

(.1) *Set-back.*

(a) *Market Street Frontage.* There shall not be a set-back required;

(b) *Frontage on Numbered Streets.* For lots with frontage on numbered streets and which are between John F. Kennedy boulevard and Market street the minimum building set-back line shall be five feet;

(.2) *Spacing of Buildings Sixty-five Feet or Greater in Height Within the First Ninety Feet South of the South Side of Market Street Between Fifteenth Street and Twenty-fourth Street Inclusive.*

(a) The minimum distance between buildings, from a point sixty-five feet or greater above the average ground level, shall be seventy-five feet;

(b) Along any property line which is not a street line and which is parallel to any numbered street, the minimum distance between the building, from a point sixty-five feet or greater above the average ground level, and the property line shall be thirty-seven feet six inches.

(.3) *Aggregate Building Width For Buildings or Portions of Buildings Over Sixty-five Feet in Height.* Within the first ninety feet south of the south side of Market street, all buildings or portions of buildings over sixty-five feet above the average ground level, measured along a line parallel with Market street, shall have a maximum aggregate width not exceeding two hundred fifty feet or sixty-six percent (66%) (whichever is less) of the block frontage along Market street.

(7) *Height Regulations.* The height regulations in these districts shall be as set forth herein, provided, that when other Sections of this Title require more restrictive height regulations, the more restrictive regulations shall take precedent.

(a) *John F. Kennedy Boulevard.* For lots fronting on and south of John F. Kennedy boulevard between Fifteenth street and the Schuylkill River the following regulations shall apply:

(.1) *Minimum Height.* The minimum height of any building shall be thirty-five feet above the average

sidewalk level at the street line;

(.2) *Maximum Height*. There shall not be a maximum height limit;

(.3) *Frontage On Numbered Streets*. For lots with a second frontage along a numbered street, the maximum height for the first fifteen feet of building depth, measured back from the set-back line of the numbered street, shall be sixty-five feet.

(b) *Market Street*. For lots fronting on and south of Market street between Front street and the Schuylkill River the following regulations shall apply:

(.1) *Minimum Height*. The minimum height of any building shall be thirty-five feet above the average sidewalk level at the street line;

(.2) *Maximum Height*. There shall not be a maximum height limit;

(.3) *Frontage On Other Streets*. For lots with a second frontage along numbered streets and Juniper street, the maximum height for the first fifteen feet of building depth, measured back from the set-back line of Juniper street or the numbered street, shall be sixty-five feet.

(c) *Chestnut Street*. For lots fronting on and south of Chestnut street between Front street and the Schuylkill River, except within one hundred thirty feet of the east side of Broad street or within one hundred thirty feet of the west side of Broad street, the following regulations shall apply:

(.1) *Minimum Height*. The minimum height of any building or structure shall be thirty-five feet above the average sidewalk level at the street line;

(.2) *Maximum Height*. The maximum height of any building or structure shall be as follows:

(.a) *North Side*. There shall not be a maximum height;

(.b) *South Side*. Along the south street line of Chestnut street the maximum height of any building, building appurtenance (as permitted in § [14-313 182](#) except flagpoles), or structure shall be fifty feet above the average sidewalk level. This height limit may be increased to a maximum height of three hundred twenty feet above the average sidewalk level by increasing the height one foot for each foot the building sets back (i.e., along a forty-five degree recession plane) from the street line.

(d) *Sansom Street*. For lots fronting on and south of Sansom street between Front street and the Schuylkill River, except within one hundred thirty feet of the east side of Broad street or within one hundred thirty feet of the west side of Broad street, the following regulations shall apply:

(.1) *Minimum Height*. There shall not be a minimum height limit;

(.2) *Maximum Height*. The maximum height of any building or structure shall be as follows:

(.a) *North Side*. Three hundred twenty feet above the average sidewalk level of Sansom street, subject to the height limits for buildings, building appurtenances (as permitted in § [14-313 183](#) except flagpoles) and structures built on the south side of Chestnut street as set forth in § [14-305\(7\)\(c\)](#) above;

(.b) *South Side*. Three hundred twenty feet above the average sidewalk level of Sansom street.

(e) *Walnut Street*. For lots fronting on and south of Walnut street between Front street and the Schuylkill River, except within one hundred feet of the east side of Broad street or within two hundred thirty feet of the west side of Broad street, the following regulations shall apply:

(.1) *Minimum Height*. The minimum height of any building or structure shall be thirty-five feet above the average sidewalk level at the street line;

(.2) *Maximum Height*. The maximum height of any building or structure shall be as follows:



(a) *North Side*. Three hundred twenty feet above the average sidewalk level of Walnut street, subject to the height limits for buildings, building appurtenances (as permitted in § [14-313 184](#) except flagpoles) and structures built on the south side of Chestnut street as set forth in § [14-305\(7\)\(c\)](#) above;

(b) *South Side*. Along the south street line of Walnut street the maximum height of any building, building appurtenance (as permitted in § [14-313 185](#) except flagpoles), or structure shall be fifty feet above the average sidewalk level. This height limit may be increased to a maximum height of two hundred sixty feet above the average sidewalk level by increasing the height one foot for each foot the building sets back (i.e., along a forty-five degree recession plane) from the street line.

(f) *Locust Street*. For lots fronting on and south of Locust street between Front street and the Schuylkill River, except within one hundred feet of the east side of Broad street or within two hundred thirty feet of the west side of Broad street, the following regulations shall apply:

(.1) *Minimum Height*. The minimum height of any building or structure shall be thirty-five feet above the average sidewalk level at the street line;

(.2) *Maximum Height*. The maximum height of any building or structure shall be as follows:

(a) *North Side*. Two hundred sixty feet above the average sidewalk level of Locust street, subject to the height limits for buildings, building appurtenances (as permitted in § [14-313 186](#) except flagpoles) and structures built on the south side of Walnut street as set forth in § [14-305\(7\)\(e\)](#) above;

(b) *South Side*. Along the south street line of Locust street the maximum height of any building, building appurtenance (as permitted in § [14-313 187](#) except flagpoles), or structure shall be fifty feet above the average sidewalk level. This height limit may be increased to a maximum height of two hundred sixty feet above the average sidewalk level by increasing the height one foot for each foot the building sets back (i.e., along a forty-five degree recession plane) from the street line.

(g) *Spruce Street*. For lots fronting on and south of Spruce street between Front street and the Schuylkill River, except within one hundred feet of the east side of Broad street or within two hundred thirty feet of the west side of Broad street, the following regulations shall apply:

(.1) *Minimum Height*. The minimum height of any building or structure shall be thirty-five feet above the average sidewalk level at the street line;

(.2) *Maximum Height*. The maximum height of any building or structure shall be as follows:

(a) *North Side*. Two hundred sixty feet above the average sidewalk level of Spruce street, subject to the height limits for buildings, building appurtenances (as permitted in § [14-313 188](#) except flagpoles) and structures built on the south side of Locust street as set forth in § [14-305\(7\)\(f\)](#) above;

(b) *South Side*. Along the south street line of Spruce street there shall not be a maximum height limit.

(8) *Floor Area Regulations*. No building in these districts shall have a gross floor area (as defined in § [14-102\(39\)](#)) greater than that permitted under the provisions herein set forth.

(a) *Basic Floor Area*. Every building in these districts shall be permitted a gross floor area as follows: [189](#)

(.1) *Lots designated "C-4" Commercial*. Five hundred percent (500%) of the area of the lot;

(.2) *Lots designated "C-5" Commercial*. One thousand two hundred percent (1,200%) of the area of the lot.

(.3) *Lots designated "C-4" Commercial within an area bounded by North Broad Street, Fairmount*

*Avenue, North 13th Street, Wallace Street and Ridge Avenue.* Six hundred percent (600%) of the area of the lot. [189.1](#)

(9) *Additional Gross Floor Area Regulations.* In order to permit buildings of the appropriate scale and density while recognizing that high density buildings place additional burdens on public space, particularly the public sidewalk, minimum performance standards for such buildings are needed. These standards are created as a method of ensuring that the impact of high density buildings is appropriately mitigated. These performance standards are needed because of increased pedestrian and vehicular traffic generated by the occupants, customers, service providers and visitors to these buildings as well as by the service, loading and parking needs of such buildings. High density buildings can also impact upon the light and air reaching public spaces and sidewalks. Performance standards are needed to ensure that a significant amount of available, useable, accessible and inviting public space is provided to ensure that such buildings properly relate to the sidewalk and public transit concourse; and, to mitigate any negative impact upon the public's use and enjoyment of Center City, which might result from the construction of large high density buildings. Therefore, additional gross floor area equal to eight hundred percent (800%) of the area of the lot will be granted, provided all of the following requirements are met:

(a) *Minimum Street Frontage.* Because of the level of services such as deliveries, loading, trash removal and off-street parking required to support the activities generated by a high density commercial or mixed use building and because of the increased pedestrian and vehicular traffic going to and from such a building, a single street frontage is insufficient to provide minimal levels of services and pedestrian space without overly burdening the street and therefore severely diminishing the public usage and safety at street level. Therefore, in order to qualify for additional gross floor area, a lot must have frontages on no less than two (2) streets confirmed on the City Plan and physically existing at a width of no less than fifty feet.

(b) *Public Space Objectives.* In order to ensure that sufficient, useable, accessible and inviting public space is provided on the same lot as each high density commercial or mixed use building, a critical mass of public space should be provided as part of the development of the lot. By requiring a property owner to provide public space within the lot, it is not the intention of this Section to abrogate or otherwise diminish the ownership rights of the lot owner, or in any manner to imply that such public space has any legal status other than privately owned property. This space should be designed so as to respond to all of the following objectives and to conform to all of the requirements imposed herein:

(.1) The space should be designed and maintained so as to enhance the overall environment of the building of which it is part;

(.2) The space should be easily accessible to pedestrians, including the handicapped, and facilitate pedestrian circulation between pedestrian destinations such as building entrances, active space, public streets, adjacent or abutting public space including that of other buildings and the public transportation system;

(.3) The space should provide for the recreation, enjoyment, usage and relaxation of the public by providing seating, public art and landscaping as required herein; and

(.4) The space should be open, inviting and available to the general public, without barriers to public ingress and egress, within the limitations set forth herein.

(c) *Minimum Size of Public Space.* The total amount of public spaces, which may include the various types of space permitted herein, separately or in combination shall not be less than thirty percent (30%) of the area of the lot.

(d) *Location of Public Space.* In order to assure accessibility and availability to the general public,

public space shall be located at the ground level, provided, it may be located at the public transit concourse level or at any level between ground level and the concourse level when the lot abuts the concourse; further provided, in specific instances, public space or portions of public space may be located above ground level as follows:

(.1) When a lot is located within the one hundred (100) year flood plain as defined in § [14-1606](#) of this Title, public space located one foot above the regulatory flood level shall be considered to be at the average ground level of the lot; and

(.2) When the lot is located over an active railway right-of-way, public space may be located at any level between the average ground level of the lot and four feet above the minimum clearance that is required to be maintained above the top of the rail elevation.

(e) *Types of Public Space.* In order to encourage diversity in design of public space, variety in the types of space available to the public, and all weather usage by the public, various types of public space should be permitted. Therefore, the following types of space shall fulfill the public space requirements for lots qualifying for additional gross floor area:

(.1) *The Plaza.* The plaza is public space which is open to the sky, directly accessible to the public street and/or the public transportation concourse, and which meets the following conditions:

(.a) The plaza shall be located at an elevation between the public transportation concourse (when the lot abuts the concourse or a transit station) and an elevation no more than three feet above the average ground level of the lot;

(.b) The plaza shall provide direct, unrestricted access to the general public at some point along all its bounding edges;

(.c) When the plaza is on a lot which abuts the concourse or a transit station, direct means of public ingress and egress between the plaza and the concourse and/or transit stations shall be provided when such access is not provided elsewhere in the required public space of the lot;

(.d) The plaza shall contain public seating, trees, landscaping, lighting, and may contain public art and/or retail space as set forth herein;

(.e) A plaza shall consist of an area of contiguous space, the least dimension of which shall not be less than thirty feet in length or depth and the total area of which shall not be less than twenty-five percent (25%) of the public space requirement of the lot; and

(.f) The plaza shall be open to the general public at all times.

(.2) *Enclosed Public Space.* Enclosed public space is space which may be totally or partially enclosed by walls and which is covered by a roof so as to allow for year-round, climate controlled, all weather use by the general public. It shall be open to the sky above its roof (i.e., there shall be no occupied floor above the space) and thirty-three percent (33%) of the surface of the perimeter walls, when used, and the entire roof shall be constructed so that seventy-five percent (75%) of their surface consists of glass or other transparent material. Enclosed public space shall also meet all of the following conditions:

(.a) Enclosed public space shall be located at an elevation between the public transportation concourse (when the lot abuts the concourse or a transit station) and an elevation no more than three feet above the average ground level of the lot;

(.b) Enclosed public space shall provide direct, unrestricted access to the public sidewalk as set forth in § [14-305](#)(9)(f)(.1)(b) herein;

(.c) When enclosed public space is on a lot which abuts the concourse or a transit station, direct means of public ingress and egress between the enclosed public space and the concourse and/or transit

station shall be provided when such access is not provided elsewhere in the required public space of the lot;

(.d) The enclosed space shall contain public seating, trees, landscaping, lighting, and may contain public art and/or retail space as set forth herein;

(.e) An enclosed public space shall consist of an area of contiguous space, the least dimension of which shall not be less than thirty feet in length or depth and the total area of which shall not be less than twenty-five percent (25%) of the public space requirement of the lot; and

(.f) The enclosed public space shall be open to the general public during the hours of the day that the building is open to the public.

(.3) *The Public Room.* The public room is space which may be totally or partially enclosed by walls and which is covered by a roof so as to allow for year-round, climate controlled, all weather use by the general public. It shall be located entirely within a building (i.e., there may be occupied floor area above the space), but must be open, inviting and accessible to the general public. The public room shall also meet all of the following conditions:

(.a) The public room shall be located at an elevation between the public transportation concourse (when the lot abuts the concourse or a transit station) and an elevation no more than one (1) story or twenty feet, whichever is less, above the average ground level of the lot; provided, that when the public room is located more than three feet above ground level, escalators, open to the general public must be provided between ground level and the public room;

(.b) The public room shall consist of an area of contiguous space, the minimum volume of which shall not be less than sixty thousand cubic feet and the least dimension of which shall not be less than thirty feet in length, depth or height;

(.c) The public room shall provide direct unrestricted access to a public street and when the lot abuts the concourse or a transit station, it shall provide direct public access to the concourse and/or transit station when such access is not provided elsewhere in the required public space of the lot. Such public access may be provided directly to the street or through a plaza, enclosed public space or connector space;

(.d) The public room shall contain public seating, trees, landscaping, lighting, and may contain public art and/or retail space as set forth herein;

(.e) The public room shall not account for more than thirty-three percent (33%) of the public space requirement of the lot, provided that the public room may account for up to sixty-six percent (66%) of the required public space of the lot provided at least thirty-three percent (33%) of its perimeter wall(s) abut a street or an outdoor public space, said perimeter wall(s) is constructed of glass or other transparent material, and the height of said wall is greater than or equal to thirty-three percent (33%) of the length of the public room at its greatest length or width dimension. In no case may this dimension of length or width be less than thirty feet;

(.f) No less than fifty percent (50%) of the perimeter of the public room shall abut retail space, public sidewalk, or other public space; and

(.g) The public room shall be open to the general public during the hours of the day that the building is open to the public.

(.4) *Connector Space.* Connector Space is space which is open and available to the public, is integrated into the overall design of the building, and which serves to connect the public space of a building with a public street, a public transit concourse, a transit station, other public space within the

lot, the public space of another building, entrances to the building or entrances to the retail space of a building. This space is intended to provide open and inviting public access between a building, its public space and/or retail space. Connector space shall meet all of the following conditions:

(.a) Connector space may be located at any elevation between the concourse level, when such space is directly accessible to the public transit concourse level or a transit station, and the average ground level of the lot; otherwise it must be located at no more than three feet above the average ground level of the building;

(.b) The least dimension of connector space shall be twenty feet in length and width and fifteen feet in height;

(.c) Connector space may account for no more than twenty percent (20%) of the total public space requirement; and

(.d) Connector space shall be open to the public at all times, provided that connector space which is located within the building shall be open to the public during the hours of the day that the building is open to the public. Connector space which is not within a building shall be open to the public at all times.

(.5) *The Garden.* The garden is public space which is part of a residential or hotel development where over fifty percent (50%) of the gross floor area of the building is used for residential units or hotel rooms. Such space is designed to provide visual relief for the public and is designed so as to provide a higher degree of landscaping, fountains and/or public art than that found in plazas, enclosed public spaces or public rooms. Gardens need not provide for direct public access or seating, and may be open or partially or totally enclosed, subject to all the following conditions:

(.a) In order to provide unrestricted visual access to the public and/or occupants of the building, the garden must abut the public street or a public space for no less than twenty-five percent (25%) of its perimeter. If enclosed by walls, seventy-five percent (75%) of the enclosing walls and roof shall be constructed of glass or other transparent materials;

(.b) The garden shall consist of an area of contiguous space, the least dimension of which shall not be less than thirty feet in length, and the least dimension in depth shall not be less than thirty-three percent (33%) of the length of the garden;

(.c) The garden shall contain trees, landscaping, lighting, and may contain public art and/or retail space as set forth herein; and

(.d) The total cost of the construction and furnishings of the garden exclusive of the costs of the unadorned floors, walls and ceiling (when used) shall not be less than one-half percent (1/2%) of the construction cost of the building; provided, that this cost shall be in addition to the cost of public art as required in § [14-305](#)(9)(g)(.1) through (.8) herein.

(f) *Required Conditions for Public Space.* To enhance the utility, function, and availability of public space; to expand the public's experience, enjoyment and use of public space; and to provide for the aesthetic, cultural and recreational impact of public space, all public space which is provided in order to qualify for additional gross floor area, as proscribed herein, shall comply with all of the following conditions:

(.1) *Public Access.* In order to facilitate ease of access for all segments of the general public, including the handicapped, public space should offer numerous opportunities for easy, direct and unrestricted access, both physical and visual, in accordance with the following requirements:

(.a) Where a plaza or connector space abuts the public street, open access equal to at least twenty-five

percent (25%) of the plaza's or connector space's frontage along the street, but in no case less than twenty feet, shall be provided. This access shall be at the same grade as the public sidewalk (if steps or ramps for the handicapped are required, they shall be provided within the plaza or connector space). Within the first ten feet back from the street, the public access shall not contain any physical barriers (such as, but not limited to, fences, seats, planter boxes, planted areas, fountains, public art, bicycle racks, retail kiosks or vendor stands) which may impede access to the plaza or connector space;

(b) Where enclosed public space abuts the public street, open access equal to at least twenty-five percent (25%) of the enclosed public space's frontage along the street shall be provided. This access shall be at the same grade as the public sidewalk (if steps or ramps for the handicapped are required, they shall be provided within the plaza or connector space). Within the first ten feet back from the street, the public access shall not contain any physical barriers (such as, but not limited to, fences, seats, planter boxes, planted areas, fountains, public art, bicycle racks, retail kiosks or vendor stands, etc.) which may impede access to the plaza or connector space;

(c) Signage indicating to the general public that the public space is open to the public and the hours of public access shall be provided along each street frontage which contains access to public space or connector space when required public space or a portion of a lot's required public space is not visible from the public sidewalk. Such signage shall be provided at the building entrance, at the public sidewalk and/or within other visible public space on the lot indicating the existence and location of the public space. This signage shall be of sufficient size as to be easily recognized and understood by the public and shall be in accordance with regulations adopted by the Department of Licenses and Inspections; and

(d) Where gardens abut the public street, only visual access for the general public shall be required.

(.2) *Public Seating.* In order to facilitate public usage and to encourage the public to spend extended periods of time within public areas, permanently available, serviceable and useable seating for use by the general public shall be provided within all public space, except gardens, at the following size and ratios:

(a) For public space in excess of one thousand square feet in area, seating must be provided at a ratio of one (1) seat for every seventy-five square feet of public space;

(b) Each individual seat shall be no less than eighteen inches wide and sixteen inches deep; provided, that flat tops of walls may be used to meet this requirement; further provided, that seating thirty inches or more in depth shall count double when access is provided to both sides;

(c) Seating which is thirty-six inches or more above the level of the adjacent walking surface or which is less than twelve inches above the level of the adjacent walking surface shall not be considered as conforming to the seating requirements;

(d) Seating restricted to the patrons of an open air café shall not be considered as conforming to the seating requirements;

(e) Steps shall not be considered as conforming to the seating requirements; and

(f) A minimum of five percent (5%) of the required seating shall have backs.

(.3) *Trees and Landscaping.* Within public space, trees and landscaping shall be provided at the following ratios:

(a) *Plazas, Enclosed Public Space and Gardens.* Trees shall be provided at the following ratios: For public space of one thousand five hundred square feet or more, four (4) four-inch caliper trees shall be provided. For public space of five thousand square feet or more, six (6) four-inch caliper trees shall be

provided. For public space in excess of twelve thousand square feet in area, at least one (1) four-inch caliper tree for each two thousand square feet of public space shall be provided. Trees shall be planted in at least two hundred cubic feet of soil with a depth of at least three feet six inches and be planted either with gratings flush to the grade of the public space or in a planting bed with a continuous area of at least seventy-five square feet. Trees shall be provided at a maximum spacing of twenty-five feet. When landscaping beds are provided, they shall have a soil depth of at least two feet for grass or other ground cover, and three feet for shrubs;

(b) *Public Rooms*. Landscaping beds consisting of ground cover, shrubs and/or trees shall be provided at the following ratios: For public rooms of one thousand five hundred square feet or more, three hundred square feet of landscaping shall be provided. For public rooms of five thousand square feet or more, four hundred fifty square feet of landscaping shall be provided. For public rooms in excess of twelve thousand square feet in area, at least seventy-five square feet of landscaping for each two thousand square feet of public space shall be provided;

(c) *Maintenance*. All trees and landscaping shall be maintained in a manner to ensure their survival. In the event that any required trees and/or landscaping die, it shall be replaced at the required ratios.

(4) *Lighting*. Plazas, exterior connector space and gardens shall be illuminated throughout with an overall minimum average level of illumination of not less than two (2) horizontal foot candles. Such level of illumination shall be maintained throughout the hours of darkness. The illumination shall be focused upon the public space so as to prevent glare upon the surrounding areas.

(g) *Public Art*. A public art requirement is being imposed as a mechanism to expand and enrich the public's experience and enjoyment of buildings and public space and to create buildings and public space that is designed and executed with diverse and high quality materials, activities, and furnishings. It is intended to allow for the broadest definition of public art and encourage imaginative interpretation of media. Public art may manifest itself in two (2) basic components: on-site art in public spaces and on-site cultural programming. Therefore, public art at an individual or combined minimum cost as set forth below must be provided on any lot seeking additional gross floor area. In order to comply with this subsection, all of the following conditions must be met:

(.1) *On-site Public Art*. On-site public art is art that is permanent (i.e., lasting the life of the building), original and created specifically for the site. It may include, but shall not be limited to the following separately or in combination:

(a) Sculpture which is free-standing, wall supported or suspended; kinetic, electronic, etc.; in any material;

(b) Murals or paintings in any material or variety of materials, with or without collage or additional non-traditional materials, markings and means;

(c) Earthworks, waterworks, fiberworks, functional elements, furnishings, neon, glass mosaics, photography, prints, calligraphy, in any combination of forms of media including sound, film, holographic and video systems; hybrids of any media and new genres; and

(d) Lighting in any combinations of forms.

(.2) *On-site Cultural Programming*. On-site cultural programming consists of cultural programs which are permanently established by the endowment of a trust or other legally binding mechanism of permanent funding (i.e., lasting the life of the building). Eligible components for on-site cultural programs shall include:

(a) *Performing Arts*: theater, dance and music;



- (b) *Literary Arts*: poetry readings and story telling;
- (c) *Media Arts*: film and video screening and installations;
- (d) *Education*: lectures and presentations about the arts; and
- (e) *Special Events*: festivals and celebrations.

(3) *Commercial Activity*. Items, functions and events which are basically commercial in nature, such as theatrical productions, movies, commercial art galleries, exhibits of items for sale, etc. shall not satisfy requirements of this Section of the Code.

(4) *Location*. Public art shall be located within the required public space, upon the building, or within public spaces created to meet the requirements of exceptional public benefit set forth herein. Public art may be provided within the public sidewalk, if authorization, by ordinance, is obtained.

(5) *Approval Criteria*. In order to meet the requirements of this Section, the owner of the lot or a designee must have the proposed artist(s), and all public art and/or proposal for cultural programming approved in one (1) of the following manners:

(a) By an Art Selection Committee, chosen by the owner of the lot or their designee and meeting the qualifications set forth herein. Upon the submission of an Art Selection Committee for review by the Department of Licenses and Inspections, the applicant shall also submit the list for proposed committee members to the Art Commission. The Art Commission shall then have thirty (30) days to review the qualifications of proposed committee members and to advise, in writing, the Department of Licenses and Inspections as to its recommendations regarding the qualifications and composition of the committee; or

(b) By the Art Commission of the City of Philadelphia. The owner of the lot or their designee may submit a plan for meeting the public art requirement to the Art Commission for their review, comment and approval;

(c) The Art Selection Committee or the Art Commission (depending on the manner of review and approval chosen by the owner of the lot or their designee), shall have the final approval of the artist and all public art submitted to meet the requirements of this Section;

(d) The Art Selection Committee or the Art Commission (depending on the manner of review and approval chosen by the owner of the lot or a designee) may, upon request, assist in the selection of an artist or artists for the project and/or the selection of an arts coordinator for the project; and

(e) It is not the intention of these requirements to allow decorative, ornamental or functional elements of the building or public space which are not designed by an artist and created specifically for the site, nor to have landscaping or other furnishings or elements required elsewhere herein, to qualify as part of the public art requirement. However, final determination as to what items, works, materials, media, infrastructure, support services, etc., qualify as public art or as part of the cost of public art, shall rest with the Art Selection Committee or the Art Commission (depending on the manner of review and approval chosen by the owner of the lot or their designee).

(6) *Art Selection Committee Membership*. If the owner of the lot or a designee chooses to use an Art Selection Committee, it shall consist of five (5) members all of whom shall conform to one (1) or more of the following qualifiers, provided that, at least two (2) members of the committee shall conform to the requirements of (.a) and further provided, that of the other three (3) members no more than one (1) is selected from each of the qualifiers listed in (.b) through (.e):

- (a) Practicing artists from the visual or performing disciplines;
- (b) An art educator from an accredited college or university;

- (c) A public arts administrator;
- (d) A curator of an institution of art; or
- (e) A registered architect or registered landscape architect.

(7) *Cost.* Public Art as required in this Section shall be provided at an individual or combined minimum cost in accordance with the following:

(a) For development on a lot, with construction costs of twenty million (\$20,000,000) dollars or less, an amount equal to one percent (1%) of the construction costs;

(b) For development on a lot, with construction costs of up to forty million (\$40,000,000) dollars, one percent (1%) of the first twenty million (\$20,000,000) dollars of construction costs and one half percent (0.5%) of the construction costs in excess of twenty million (\$20,000,000) dollars but less than forty million (\$40,000,000) dollars; and

(c) For construction costs over forty million (\$40,000,000) dollars, one percent (1%) for the first twenty million (\$20,000,000) dollars of construction costs, one-half percent (0.5%) of the amount of construction costs in excess of twenty million (\$20,000,000) dollars but less than forty million (\$40,000,000) dollars and one-quarter percent (0.25%) of any construction costs in excess of forty million (\$40,000,000) dollars.

(8) *Establishment of Endowments.* The method of establishment of an endowment of a trust or other legally binding mechanism to permanently fund cultural programming to meet the requirements of this Section, shall be approved by the City.

(9) *Administrative Regulations.* Within one (1) year of the enactment of this Section, the Department of Licenses and Inspections in conjunction with the Law Department, the Planning Commission, the Office of the Director of Commerce and City Representative (Office of Arts and Culture), and the Art Commission shall adopt regulations necessary to implement this subsection.

(h) *Required Retail Space.* In order to provide for a portion of the retail and service needs of the occupants, visitors and users of large commercial and mixed-use buildings and thereby relieve the pressure to provide for these needs off-site in retail commercial areas in Center City, new commercial and mixed-use buildings should include retail and service commercial. These requirements should be established so as to provide for some but not all of the shopping and services needs that can reasonably be expected to be generated by the various people associated with a high density commercial or mixed-use building. This needs to be done because it is both necessary and desirable to maintain the diversity of retail sales and services available in Center City and without such requirements, the trend will continue of converting existing retail and service space from broader based consumer goods to sales and services to meet the needs of visitors and occupants of nearby commercial or mixed-use buildings. This trend manifests itself in the increased number of fast-food and take-out restaurants, quick photo and printing services, ground level offices for delivery services, air line ticketing, and automobile rentals, etc., located along traditional retail shopping streets in Center City. Therefore, retail commercial space shall be provided in all newly erected buildings in accordance with the following requirements, provided, that for the purposes of meeting these requirements, retail shall be limited to the sale of goods directly to the consumer, restaurants, banks and day care facilities licensed by the Commonwealth, subject to all limitations imposed:

(1) Every building containing over three hundred thousand square feet of gross floor area built after the effective date of this Section shall provide a retail sales area equal to no less than one percent (1%) of the gross floor area of the building;

(2) Required retail space shall not be considered as floor area and shall be excluded from being

calculated as part of the gross floor area of a building; and

(.3) At least seventy-five percent (75%) of the required retail space shall be located at either the concourse level, ground level or at the second level of the building; provided, that outdoor cafés, retail kiosks and vendor stands within the public space of a building shall not qualify as required retail space.

(10) *Incentive Floor Area*. It is recognized that certain areas of Center City are more appropriate as the location for high density development. These are areas that are well served by commuter rail, mass transit and wide streets connecting to limited access highways. It is also recognized that very high density buildings place heavy burdens on surrounding public streets and public spaces because of increased pedestrian and vehicular traffic generated by the occupants, customers, service providers and visitors to these buildings as well as by the service, loading and parking needs of such buildings. Such high density buildings can also negatively impact upon the light and air reaching public spaces and sidewalks and the public usage of these spaces. Furthermore, the construction of high density buildings in certain areas may place historically certified properties located on similarly zoned lots in jeopardy of being demolished to make way for higher density development. In order to further provide for expanded public benefits and as a method of ensuring that the impact of such high density buildings is appropriately mitigated beyond the performance standards imposed herein, additional performance standards are needed to ensure that a significant amount of available, useable, accessible and inviting public space that is of exceptional public benefit is provided. Also, as a method of assuring the maintenance of historically certified properties and to establish an alternative method of developing the unused development rights of the lot without demolishing the historic structure, incentive floor area should be granted for the transfer of these development rights to areas appropriate for high density development. These requirements for space of exceptional public benefit or for transfer of development rights from historically certified properties are intended to ensure that very high density buildings properly mitigate any negative impact upon and add to the public's use and enjoyment of Center City. Therefore, incentive floor area shall be granted for lots on which public space and/or amenities which are of exceptional public benefit, as set forth herein, are provided and which are in accordance with the following:

(a) *Conditions*. In order to obtain incentive floor area all of the following conditions must be met;

(.1) Before incentive floor area is permitted on a lot, the requirements of § [14-305](#)(9)(a) through (h) regarding additional gross floor area must be complied with;

(.2) The lot must have frontage along one of the following streets:

(.a) Market street between Sixth street and the Schuylkill River;

(.b) John F. Kennedy boulevard between Broad street and the Schuylkill River; or, Broad street;

(.c) Broad street between John F. Kennedy boulevard and Vine street; and

(.d) South Penn square between Fifteenth street and Juniper street.

(.e) The south side of Arch Street between 18th Street and 19th Street. [189.2](#)

(.3) Incentive gross floor area may be aggregated by meeting more than one (1) of the following requirements, provided, that the amount of incentive gross floor area permitted on any lot shall not exceed a ratio greater than four hundred percent (400%) of the lot area.

(b) *Exceptional Public Benefit*. The following listed spaces when provided on a lot as part of the development of the lot, shall be considered to be of exceptional public benefit when the space complies with all of the requirements imposed upon it, as set forth herein, provided that incentive gross floor area shall be permitted on the lot only at the ratios listed below:

(.1) *Observation Rooms or Decks.* Lots on which observation rooms and observation decks are maintained so as to be open and available to the public during the hours the building is open to the public, and which are located at or above the highest occupied floor of a building or at or above the thirtieth floor of a building thirty (30) floors or greater in height, shall receive incentive gross floor area equal to five square feet of floor area for each square foot of observation space greater than two thousand five hundred square feet, but for no more than ten thousand square feet.

(.2) *Through Block Pedestrian Walkways.* Through block pedestrian walkways or corridors which connect two (2) parallel major public streets (streets confirmed on the City Plan at fifty feet or more in width), which are at least twenty feet in width and twenty feet in height (if enclosed), which provide access through the building's public space and which are open to the public at all times (except in the case of enclosed public space which is required to be open to the public during the hours that the building is open to the public) shall be permitted incentive gross floor area in accordance with the following requirements:

(.a) The walkway shall provide access to pedestrian destinations such as building lobbies, plazas, public rooms, transit stations, the public service concourse and/or retail areas;

(.b) The walkway shall not abut any public street for more than twenty percent (20%) of the distance between the two (2) streets it connects;

(.c) In order to qualify for incentive gross floor area the area of the walkway shall be in addition to the minimum public space requirements as set forth in § [14-305](#)(9)(b) through (g) above;

(.d) Incentive gross floor area shall be permitted at a ratio of five square feet of gross floor area for each square foot of through block pedestrian walkway; and

(.e) The amount of incentive gross floor area for any such through block pedestrian walkway or corridor shall not exceed fifty thousand square feet.

(.3) *Improvements To or Construction of Publicly Owned Facilities.* Improvements to or construction of any of the following publicly owned facilities shall be permitted incentive gross floor area:

(.a) Public park, playground, fountain or public art, under the jurisdiction of the Department of Recreation or the Fairmount Park Commission; and

(.b) Public transit concourse, public transit station, or public transit head house; provided that such improvements shall be in accord with the following requirements:

(i) The cost of construction or improvements shall be equal to or greater than one percent (1%) of the total construction cost of the total development of the lot for which incentive gross floor area is permitted;

(ii) The publicly owned facility shall be located within five hundred feet of the lot for which incentive gross floor area is permitted;

(iii) Transit station and/or transit concourse construction or improvements may consist of public space, connector space, transit platform, retail areas and/or light wells to permit natural light into the transit station or concourse level, either separately or in combination, provided that head house improvements shall be for head houses located in the public sidewalk;

(iv) In order to qualify for incentive gross floor area the area of the construction and/or improvements shall be in addition to the minimum public space requirements as set forth in § [14-305](#)(9)(b) through (i) above;

(v) The amount of incentive gross floor area permitted on the lot shall not exceed a ratio greater than two hundred percent (200%) of the lot area.

(.4) *Public Museum, Meeting and/or Library Space.* Museum, meeting and/or library space which is not operated for profit, and/or performance space shall be permitted incentive gross floor area in accordance with the following requirements:

- (.a) The space shall be open and available to the public;
- (.b) Art galleries, museums, and exhibit space for the retail sale of works of art or items displayed shall not qualify for incentive gross floor area;
- (.c) Performance space and public meeting space shall have a permanent seating area that is no less than sixty-five percent (65%) of the total gross floor area devoted to this use;
- (.d) Such space shall be located between the concourse level when the lot abuts the public service concourse and the first fifty feet of the building above the average ground level;
- (.e) Such space shall not be less than one thousand five hundred square feet in gross floor area; and
- (.f) Such space shall be permitted incentive gross floor area equal to twenty square feet of gross floor area for each square foot of such space.

(.5) *Underground Parking.* Underground parking spaces which are not in excess of one (1) space for each four thousand square feet of gross floor area for commercial uses, nor in excess of the number of spaces required in § [14-1402](#) for residential uses shall be permitted incentive gross floor area in accordance with the following requirements:

- (.a) Surface or above ground parking shall not be provided anywhere on the lot which is receiving incentive gross floor area; and
- (.b) Such underground parking shall receive incentive gross floor area equal to two hundred square feet of gross floor area for each space conforming to the requirements of § [14-1403](#).

(.6) *Underground Loading and Trash Storage.* Underground loading and trash storage at the ratio required in § [14-305](#)(14) below, shall be permitted incentive gross floor area in accordance with the following requirements:

- (.a) The loading and trash storage area must be located totally below ground level; and
- (.b) Such space shall be permitted incentive gross floor area for each square foot of such space, provided, that the amount of incentive gross floor area permitted on the lot shall not exceed a ratio greater than one hundred percent (100%) of the lot area.

(.7) *Public Restrooms.* Within public space (except gardens), or within the building at the ground level or at the concourse level (when the required public space or a portion of the required public space is located at the concourse level), public restrooms shall be permitted incentive gross floor area in accordance with the following requirements:

- (.a) One (1) public restroom for each sex shall be provided. The restroom for males shall contain two (2) water closets, one (1) urinal and one (1) lavatory. The restroom for females shall contain three (3) water closets and one (1) lavatory. These restrooms shall be open to the public during the hours that the building is open to the public;
- (.b) The restrooms shall be located immediately adjacent to or within the required public space of the building or abutting a public sidewalk;
- (.c) Signage shall be provided within the public space indicating the existence and the location of the restrooms;
- (.d) Restrooms provided pursuant to the provisions of this subsection must be separate from and in

addition to any other restrooms required by any other Section of The Philadelphia Code or any other applicable codes, ordinances, federal laws or acts of assembly;

(e) Restrooms provided pursuant to the provisions of this subsection shall generate an additional floor area ratio of five-tenths (0.5) times the area of the lot.

(c) *Transfer of Development Rights For Historic Preservation.* In order to facilitate the preservation of existing historically certified buildings and to retain the exceptional public amenity of these buildings, incentive gross floor area shall be permitted in accordance with the following requirements:

(.1) Incentive gross floor area shall be permitted at a ratio of one square foot of additional floor area for each square foot of floor area transferred from a locally historically certified building;

(.2) In order to qualify for the transfer of incentive gross floor area, the historically certified building must be located within the area bounded by Spring Garden street, the Schuylkill River, South street and the Delaware River, must be zoned "RC-4" Residential, "C-4" or "C-5" Commercial and must have unused floor area potential to transfer based on its existing zoning classification and the amount of gross floor area in the historically certified building;

(.3) The historic building shall have been certified as historic by the Historical Commission pursuant to § [14-2007](#) and shall have been designated by the Historical Commission as a threatened historic resource;

(.4) The maximum amount of gross floor area which may be transferred shall be determined by calculating the permitted gross floor of the historic lot, minus the existing gross floor area of the historic building;

(.5) The development site which receives incentive gross floor area must be zoned either "C-4" or "C-5" Commercial;

(.6) The incentive gross floor area permitted for historic preservation shall not exceed a ratio greater than four hundred percent (400%) of the lot area of the lot which receives incentive gross floor area; and

(.7) The development site which receives incentive gross floor area must have frontage along Market street between Sixth street and the Schuylkill river, on John F. Kennedy boulevard between Broad street and the Schuylkill river, or on Broad street between John F. Kennedy boulevard and Vine street;

(.8) Within one (1) year of the enactment of this ordinance, the Department of Licenses and Inspections, in conjunction with the Law Department, the Planning Commission and the Historical Commission shall adopt all administrative procedures necessary to implement this subsection of the Code.

(d) *Contributions to the Housing Trust Fund.* In order to facilitate the development of low to moderate income housing, incentive gross floor area shall be permitted in accordance with the following requirements:

(.1) The requirements of § [14-305](#)(9)(a) through (h) must be complied with;

(.2) Incentive gross floor area shall be permitted at a ratio of one square foot of additional floor area for each twenty-five (\$25.00) dollars contributed to the housing trust fund;

(.3) The amount of the contribution which qualifies for one square foot of additional floor area shall be adjusted every three (3) years consistent with the Consumer Price Index for Philadelphia;

(.4) The development site which receives incentive gross floor area must be zoned either "C-4" or "C-5" Commercial and must have frontage along Market street between Sixth street and the Schuylkill



River, on John F. Kennedy boulevard between Broad street and the Schuylkill River, or on Broad street between John F. Kennedy boulevard and Vine street;

(.5) The incentive gross floor area permitted for contributions to the housing trust fund shall not exceed a ratio greater than four hundred percent (400%) of the lot area of the lot which receives incentive gross floor area; and

(.6) The City Council, under separate legislation, will create the housing trust fund in order to facilitate the distribution of the contributions.

(11) *Transfer of Development Rights For Historic Preservation South of Chestnut Street.* In order to facilitate the preservation of existing historically certified buildings, to retain the exceptional public amenity of these buildings and to retain the scale of development in the area of Center City south of Chestnut street, incentive gross floor area shall be permitted in accordance with the following requirements:

(a) Incentive gross floor area shall be permitted at a ratio of one square foot of additional floor area for each square foot of floor area transferred from a locally historically certified building;

(b) In order to qualify for the transfer of incentive gross floor area, the historic building must be located within the area bounded by the rear property lines of lots fronting on the north side of Chestnut street, Front street, the rear property lines of lots fronting on Spruce street, and the Schuylkill River, must be zoned "RC-4" Residential, "C-4" or "C-5" Commercial and must have unused floor area potential to transfer based on its existing zoning classification and the amount of gross floor area in the historically certified building;

(c) The historic building shall have been certified as historic by the Historical Commission pursuant to § [14-2007](#) and shall have been designated by the Historical Commission as a threatened historic resource;

(d) The maximum amount of gross floor area which may be transferred shall be determined by calculating the permitted gross floor of the historic lot, minus the existing gross floor area of the historic building;

(e) The development site which receives incentive gross floor area must be zoned either "RC-4" Residential or "C-4" or "C-5" Commercial and must be located within the area bounded by Chestnut street, Front street, the rear property lines of lots fronting on Spruce street, and the Schuylkill River;

(f) The incentive gross floor area permitted for historic preservation shall not exceed the permitted floor area ratio by more than twenty percent (20%) above that which is otherwise permitted by other applicable paragraphs of this Section, provided, that the building to be erected upon the lot receiving incentive gross floor area shall not exceed either the building width or building height requirements established in § [14-305](#)(5)(a) through (d) and § [14-305](#)(7)(a) through (g) above;

(g) Within one (1) year of the enactment of this Section, the Department of Licenses and Inspections, in conjunction with the Law Department, the Planning Commission and the Historical Commission shall adopt all administrative regulations necessary to implement this subsection.

(12) *Retail Space.* In order to encourage retail commercial space to service the needs of the occupants of and visitors to large commercial buildings, to enliven the sidewalks and public spaces around buildings and to relieve the pressure for service retail placed upon Center City retail commercial areas, the following requirements for retail commercial space are hereby imposed:

(a) For the purposes of complying with these requirements, retail space shall be limited to the sale of goods directly to the consumer, restaurants and banks;



(b) Retail space shall not be considered as floor area and accordingly shall not be included in the permitted gross floor calculations of the lot, provided such retail space shall not exceed twenty-five percent (25%) of the total gross floor area of the building;

(c) Day care facilities licensed by the Commonwealth shall also be considered as retail space and shall not be included in the permitted gross floor area calculations of the lot;

(d) Floor area used for business and professional offices, personal services or treatment of patients shall not be considered as retail space and accordingly shall be included in the permitted gross floor area calculations of the lot;

(e) Public space may contain cafés which do not exceed thirty percent (30%) of the total public space and/or retail, kiosks or sales carts no larger than sixty square feet in area and at a ratio of one (1) kiosk or stand for every two thousand square feet of contiguous public space. The total area in square feet utilized for cafés, kiosks and/or sales carts may not exceed thirty-three percent (33%) of the total required public space.

(13) *Off-street Parking Requirements.* Off-street parking shall be permitted under the following conditions subject to all use conditions imposed herein and imposed by Chapter [14-1400](#) of this Title:

(a) *Parking Garages.* For all parking garages, whether accessory or non-accessory, the following requirements shall apply:

(.1) The gross floor area of all levels of a parking garage located at or above the average ground level shall be included in the permitted gross floor area calculations of the lot, provided that when the lot is located within the one hundred (100) year flood plain as defined in § [14-1606](#), any point located one foot above the regulatory flood level shall be considered to be at the average ground level of the lot; further provided, when a lot or portion of a lot is located over an active railway right-of-way, any point located four feet above the minimum clearance that is required to be maintained above the railway right-of-way and within a distance of one hundred ten feet from the outward edges of the right-of-way, shall be considered to be at the average ground level of the lot;

(.2) The gross floor area of all levels of a parking garage located at or above the average ground level shall not be included as part of the permitted gross floor area calculation on lots fronting on any of the following streets:

(.a) Vine street or Callowhill street between Eighteenth street and Front street;

(.b) Delaware avenue or Interstate 95 between Spring Garden street and Chestnut street; and

(.c) Interstate 76 between Spring Garden street and Chestnut street.

(.3) No permits for parking garages shall be issued by the Department of Licenses and Inspections until such time as the Department has been notified by the City Planning Commission of its comments and recommendations. Furthermore, no permits for parking garages shall be issued until such time that the internal circulation patterns and points of ingress and egress have been reviewed by the Streets Department in accordance with the following requirements:

(.a) Prior to the issuance of any permits, zoning refusals and/or references to the Zoning Board of Adjustment, the Department of Licenses and Inspections shall refer the plans for the proposed garage to the Planning Commission for review, and comment;

(.b) The applicant shall provide the Planning Commission with a copy of the application for a Zoning and/or Use Registration Permit and all information that the Planning Commission may deem necessary to carry out the review of the proposed garage, including but not limited to, architectural renderings and/or elevations of the proposed facade, internal circulation plans for each floor, location

and direction of all curb cuts and traffic impact studies;

(c) Upon the receipt of an application and all necessary information relative to the construction of a garage, the Planning Commission shall forward copies of all material related to traffic circulation, curb-cuts and traffic studies to the Department of Streets for its review and recommendation;

(d) The Streets Department shall have thirty (30) days to review the information provided by the Planning Commission and to respond, in writing, to the Department of Licenses and Inspections, to the Planning Commission and when appropriate, to the Zoning Board of Adjustment. After such time, the approval of the Department of Streets shall be presumed; and

(e) Upon the receipt of an application and all necessary information relative to the construction of a garage, the Planning Commission shall have forty-five (45) days to notify the applicant and the Department of Licenses and Inspections and when appropriate, the Zoning Board of Adjustment, in writing, of its recommendations and comments. If after forty-five (45) days the Planning Commission has not transmitted notice of its action, Planning Commission approval shall be presumed.

(4) All parking garages located north of Market street with frontage on a southbound street shall provide ingress to the garage from that street.

(5) At every point where a driveway, whether for ingress or egress, crosses a public sidewalk, the area of the sidewalk between the building line and the curb line, equal in width to the driveway(s) shall be of a different color, texture or paving material, in accordance with the standards of the Department of Streets, so as to indicate and warn pedestrians of the existence of the driveway.

(b) *Additional Requirements for Above Ground Parking Garages.* In addition to all of the requirements for parking garages contained herein, all above ground parking garages, or above ground portions of underground parking garages, whether accessory or non-accessory, which are located between the Schuylkill River and Front street shall also comply with the following requirements:

(1) No permits for above ground parking garages shall be issued by the Department of Licenses and Inspections until such time as the Department has been notified by the City Planning Commission of its approval of the facade of the proposed garage, provided, that in reviewing facades of above ground parking garages, it is not the intention of this provision to increase the construction cost of the garage. Further provided;

(a) Upon the receipt of an application and all necessary information relative to the construction of a garage, the Planning Commission shall have forty-five (45) days to notify the applicant and the Department of Licenses and Inspections, in writing, of its approval, disapproval or tabling for additional information of the facade of the proposed garage. If after forty-five (45) days the Planning Commission has not transmitted notice of its action, Planning Commission approval shall be presumed. Provided, that after an action to table consideration of a facade, the Planning Commission shall act to approve or disapprove the facade within thirty (30) days of the receipt of all requested information.

(2) Retail commercial uses shall be provided at the ground level of the garage where it abuts the sidewalk or a public space for all frontage not used for entrances, exits and waiting areas. The gross floor area of all such retail space shall not be included as part of the permitted gross floor area of the lot.

(c) *Surface Parking Lots.* All surface parking lots which are accessory to a permitted use and all temporary public parking lots except as prohibited in § [14-305\(2\)\(b\)\(.2\)\(g\)](#) above, shall be permitted under the following conditions:

(1) Where a surface parking lot (except for temporary public parking lots which have been approved for a period of time of two (2) years or less) abuts the sidewalk, except for points of ingress and egress,

it must be screened for its entire frontage with either a brick wall with a minimum height of three and one-half feet; or a planted area with a minimum depth of six feet including an evergreen hedge with a minimum height of three and one-half feet (and which at time of installation is planted so that the evergreens provide a continuous screen from the sidewalk); or other screening approved by the Planning Commission;

(.2) Along any street frontage, a surface parking lot shall have no more than one (1) curb cut for both ingress and egress, the maximum width of which shall not exceed thirty feet, or two (2) one-way curb cuts the maximum width of which shall not exceed sixteen feet in width, provide that the curb cuts shall not occupy more than fifty percent (50%) of the street frontage;

(.3) All parking lots, except for temporary public parking lots which have been approved for a period of time of two (2) years or less, shall be landscaped so that a minimum of five percent (5%) of the total area of the lot shall contain landscaping exclusive of any landscaped screening; trees shall be provided at a ratio of one (1) three inch or greater caliper tree for every thirty (30) parking spaces; and

(.4) All parking lots shall contain lighting designed so as to prevent glare on abutting properties but to provide a minimum level of light on the lot and the abutting sidewalk equal to two (2) horizontal foot candles; and

(.5) At every point where a driveway, whether for ingress or egress, crosses a public sidewalk, the area of the sidewalk between the building line and the curb line, equal in width to the driveway(s) shall be of a different color, texture or paving material, in accordance with the standards of the Department of Streets, so as to indicate and warn pedestrians of the existence of the driveway;

(.6) Temporary Public Parking Lots approved for a period of time of two (2) years or less shall comply with the following:

(.a) Temporary Public Parking Lots approved for a period of time of one (1) year or less shall not be required to provide screening or landscaping;

(.b) Temporary Public Parking Lots approved for a period of time of between one (1) year and two (2) years shall provide screening where such a lot abuts the sidewalk. Except for points of ingress and egress, the lot must be screened for its entire frontage with either an opaque fence with a minimum height of three and one-half feet; or a planted area with a minimum depth of six feet including an evergreen hedge with a minimum height of three and one-half feet (and which at time of installation is planted so that the evergreens provide a continuous screen from the sidewalk); or other screening approved by the Planning Commission.

(d) *Reservoir Space*. All garages and parking lots shall provide off-street reservoir space between the street line and valet pick-up point or the ticket issuing mechanisms or booths in accordance with the following requirements, provided, that these provisions shall be cumulative for lots with two (2) or more points of ingress, further provided, that there shall be at least one (1) reservoir space at each point of ingress:

Number of Parking Spaces Provided	Off-street Reservoir Space Required at 7 ft. by 15 ft.
1 to 20	1
21 to 50	2

51 to 100	3
101 to 200	5
Over 200	5 plus 1 additional for every 100 spaces over 20 spaces.

(14) *Off-street Loading and Trash Storage.* Off-street loading and trash storage shall be permitted subject to the following use conditions imposed herein and in § [14-1405\(3\)](#):

(a) *Off-street Loading.* Every building shall provide off-street loading in accordance with the following requirements:

(.1) *Minimum Dimensions.*

First Required Space – ten feet wide, forty feet long, fourteen feet high

Second Required Space – eleven feet wide, sixty feet long, fourteen feet high

Third Required Space – ten feet wide, thirty feet long, fourteen feet high

Fourth Required Space – ten feet wide, forty feet long, fourteen feet high

Fifth Required Space – eleven feet wide, sixty feet long, fourteen feet high

Each Additional Space – ten feet wide, thirty feet long, fourteen feet high;

(.2) *Location.* Every off-street loading space shall be located within a totally enclosed structure, shall be located within the building it serves, or in the case of multiple buildings, within an enclosed structure with direct access to each building the loading spaces serve;

(.3) *Ingress and Egress.* Each individual loading space or group of loading spaces shall be limited to one (1) two-way curb cut with a maximum width of thirty feet on the street frontage or two (2) one-way curb cuts with a maximum width of twenty feet on each street frontage subject to § [14-305\(2\)\(b\)](#) (.2)(.d) and (3)(e) above, provided, that when the loading spaces or their access drives have direct access to a street of less than forty feet in width, there shall not be a limit imposed on the size of the curb cut(s) to that street; further provided, that at every point where a driveway, whether for ingress or egress, crosses a public sidewalk, the area of the sidewalk between the building line and the curb line, equal in width to the driveway(s) shall be of a different color, texture or paving material, in accordance with the standards of the Department of Streets, so as to indicate and warn pedestrians of the existence of the driveway; and

(.4) *Common Loading.* Two (2) or more buildings may share a common loading area provided that the loading area is located within a commonly accessible structure and further provided that the total number of loading spaces provided shall be calculated on the basis of the sum of the loading spaces required for each building the common spaces are intended to serve. All parties which share or will be sharing the loading area shall enter into a mutually binding agreement running with the land which is satisfactory to the Law Department of the City of Philadelphia and which indicates the rights of common usage and obligations of each party.

(b) *Trash Storage.* Every building shall provide off-street trash storage in accordance with the

following requirements:

(.1) *Location*. Every off-street trash storage area shall be located within the building or within a completely enclosed trash storage area located on the same lot as the building it serves;

(.2) *Ingress and Egress*. Each individual trash storage space or group of spaces shall be limited to one (1) two-way curb cut with a maximum width of thirty feet on the street frontage or two (2) one-way curb cuts with a maximum width of twenty feet on each street frontage subject to § [14-305](#)(2)(b)(.2)(.d) and (3)(e) above, provided, that when the trash storage spaces or their access drives have direct access to a street of less than forty feet in width, there shall not be a limit imposed on the size of the curb cut(s) to that street; further provided, at every point where a driveway, whether for ingress or egress, crosses a public sidewalk, the area of the sidewalk between the building line and the curb line, equal in width to the driveway(s) shall be of a different color, texture or paving material, in accordance with the standards of the Department of Streets, so as to indicate and warn pedestrians of the existence of the driveway;

(.3) *Trash Storage for Retail Uses*. All buildings which contain retail uses at the time of construction or renovation of retail space shall provide an area for off-street trash storage within the building, within a completely enclosed structure on the same lot as the building it serves, or within a common loading area as provided in § [14-305](#)(14)(a)(.4) above; and

(.4) *Trash Storage for Large Buildings*. All buildings in excess of one hundred fifty thousand square feet in gross floor area shall provide off-street trash storage within the building or within a common loading area in accordance with the following requirements:

(.a) This trash storage area may be provided in the form of the permanent placement of trash dumpsters and/or trash compactors in required off-street loading spaces, provided that in commonly accessed loading areas, the amount of off-street loading area used for trash storage shall be based on the sum of the trash storage required for each building served by the common loading area, further provided, that off-street loading space may be used for trash storage space only in accordance with the following requirements:

Gross Floor Area	Required Spaces
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150,000 - 500,000 sq. ft.	1
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[190](#)

For each additional 500,000 sq. ft. over 500,000 sq. ft.	1 additional space
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[191](#)

(c) *Number of Spaces*. All buildings shall provide off-street loading and trash storage in accordance with the following ratios:

(.1) *Office Buildings and Hotels*.

Gross Floor Area	Required Spaces
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100,000 - 150,000 sq. ft.	1
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150,001 - 400,000 sq. ft.	2
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400,001 - 660,000 sq. ft.	3
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660,001 - 970,000 sq. ft.	4
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970,001 - 1,300,000 sq. ft.	5
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For each additional 400,000 sq. ft. over 1,300,000 sq. ft.	1 additional space
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*(.2) Residential Uses.*

Gross Floor Area	Required Spaces
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50,000 - 150,000 sq. ft.	1
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150,001 - 500,000 sq. ft.	2
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500,001 and over	3
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*(.3) Commercial Uses Except Office Buildings and Hotels.*

Gross Floor Area	Required Spaces
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40,000 - 100,000 sq. ft.	1
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100,001 - 160,000 sq. ft.	2
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160,001 - 240,000 sq. ft.	3
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240,001 - 320,000 sq. ft.	4
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Each additional 90,000 sq. ft. over 320,000 sq. ft.	1 additional space
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(15) *Signs.* Signs shall be permitted only under the following conditions subject to any more restrictive requirements set forth under other provisions of this Title.

(a) *Permitted Signs.* Only signs which are accessory to a use permitted in these districts or non-commercial signs (as defined in § [14-102](#)(86)(i)) shall be permitted subject to the following requirements:

(.1) *Size.* Accessory signs shall be permitted at a ratio of two square feet of sign area per lineal foot of

street frontage, provided that no single sign shall exceed an area of one hundred square feet, further provided such signs shall not extend above the bottom of the second floor of the building on which it is located subject to any exceptions or limitations imposed below.

(.2) *Type*. Only the following types of signs shall be permitted:

(.a) Flat wall signs;

(.b) Projecting signs, provided that such signs shall not extend more than twelve inches beyond the property line;

(.c) Signs which are free standing structures on the ground, provided that the maximum height of such signs shall not exceed ten feet, measured from the average ground level of the ground to the top of said structure and further provided that such signs shall be limited to directional signs and/or building logo signs (as defined in § [14-102](#)).

(.3) *Required Conditions*. Permitted signs shall be erected in accordance with the following requirements:

(.a) Building logo signs which are to be located above the bottom of the second floor shall be permitted upon approval by the Art Commission; provided

(.i) Upon receipt of an application and all other pertinent information for the erection of a sign, the Art Commission shall have forty-five (45) days to notify the applicant and the Department of Licenses and Inspections, in writing, of its approval, disapproval or tabling for additional information, of the application. If after forty-five (45) days the Art Commission has not transmitted notice of its action, Art Commission approval shall be presumed;

(.ii) The applicant shall provide the Art Commission with a copy of its application for a Zoning and/or Use Registration Permit and all information that the Art Commission may deem necessary to carry out the review of the proposed sign, including but not limited to, architectural renderings and/or elevations;

(.b) Temporary signs providing notice to the public that a property is for sale or for rent signs shall be permitted so long as such signs do not exceed a total sign area of twenty-five square feet;

(.c) Signs may be animated or illuminated, provided that the illumination shall be focused upon the sign itself so as to prevent glare upon the surrounding area.

(b) *Prohibited Signs*. The following signs shall be prohibited:

(.1) Commercial non-accessory or outdoor advertising signs;

(.2) Any sign which revolves;

(.3) Signs with flashing or intermittent illumination;

(.4) Portable signs;

(.5) Roof signs.

## **§ 14-306. Reserved. [192](#)**

### **§ 14-306.1. "C-6" Commercial District. [193](#)**

(1) *Use Regulations Without Certificate*. The specific uses permitted in this district, which shall be wholly within a completely enclosed building, unless otherwise specified, shall be the erection,



construction, alteration or use of buildings for the following sales and/or services on the premises, separately or in any combination:

(a) automobile showrooms, to include the performance indoors of incidental service and repairs to automobiles including clutch, cylinder, differential, and transmission repairs and the inspections of automobiles; provided, the same is licensed by the Commonwealth of Pennsylvania;

(b) automobile repair shop (not including body and fender work, or painting);

(c) automobile service station for the retail sale of automobile fuels, lubricants, radiator fluids and accessories, and for the performance indoors of incidental service and repairs to automobiles including clutch, cylinder, differential or transmission repairs, incidental car washing indoors in an area not to exceed 400 square feet, and the inspection of automobiles; provided, the same is licensed by the Commonwealth of Pennsylvania;

(d) boat, marine, and farm equipment sales, distributing of liquids for human consumption, electrical appliances and fixtures, floor coverings, florist merchandise, furniture, hardware, household appliances, nursery and garden supplies, package paints, radio and television sets and parts, tire stores, and trailers;

(e) bowling alley, business or professional agencies, office or studio, club houses, lodges, fraternity houses, dance studios, financial institutions, funeral parlors and post office;

(f) sales, storage and installation of automobile seat covers, glass, and mufflers;

(g) plumbing, heating, and electrical services, including the accessory storage of materials, and incidental repair work using hand tools only;

(h) hotels, as defined in § [14-102](#)(29);

(i) municipal art galleries, municipal museums, or municipal libraries;

(j) police and fire stations;

(k) transportation terminals (except truck terminals);

(l) water booster or sewer booster substations, telephone exchange buildings, railroad passenger stations, electric transforming or gas regulating substations;

(m) indoor theater;

(n) commercial outdoor amusement parks, athletic and sports fields, outdoor swimming pools, and day camps, golf courses to include golf driving range and miniature golf courses;

(o) restaurant, café, soda or ice cream fountain, or catering, including outdoor dining areas;

(p) accessory uses, customarily incidental to any of the above permitted uses; provided, that the accessory use does not occupy more than 25% of the gross floor area, and does not include open air storage of materials, equipment or merchandise.

(2) *Use Regulations With Certificate.* The following uses will be permitted in this district only if a Zoning Board of Adjustment certificate, as hereinafter provided, is obtained, and said use is conducted only in completely enclosed buildings, except (a) and (d) below:

(a) open air theater, open air motion pictures, and other open air entertainment;

(b) automobile body, fender and painting shop; provided, that such service shop shall be conducted wholly in the same building with and incidental to an automobile sales agency and showroom; provided further, that no wall abutting a residential district shall have windows or doors;

(c) buildings supplies;

(d) car washing establishment, using mechanical equipment for the purpose of washing and/or polishing automobiles and other vehicles; such Zoning Board of Adjustment certificate as required in (2), above, shall only be issued where such use will have on the premises: (1) a waiting area for incoming cars accessible to the entrance end of the washing equipment, of at least 4,000 square feet, and (2) an area beyond the exit end of the washing equipment, of at least 400 square feet, so situated as to be usable for the hand finishing of the washing process;

(e) a use of the same general character as (a) through (d), above, when authorized by a Zoning Board of Adjustment certificate;

(f) accessory uses, not otherwise prohibited, customarily incidental to any permitted principal use.

(3) *Prohibited Uses.* All uses, except those specified in (1) and (2) above, including manufacturing uses, are prohibited in this district.

(4) *Required Conditions.*

(a) All business, service, or processing except those specifically exempted in (2)(a) and (d) shall be conducted wholly within a completely enclosed building, except for automobile parking, the same of automotive fuel, lubricants, accessories, and radiator fluids at service stations, outdoor dining area, and outdoor selling area located contiguous to the building and not exceeding an area equal to 5% of the sum for the aggregate floor area of all floors of the building erected on the premises; provided, any other outdoor accessory use shall be permitted only by a Zoning Board of Adjustment certificate.

(b) There shall be provided on the same lot off-street parking spaces for automobiles in accordance with the following requirements:

(.1) The total parking area, including access drives and aisles, shall be equal to not less than the sum of the aggregate floor area of all floors of the structure above the first floor plus twice the aggregate floor area of the first floor of the structure. For purposes of this computation, the aggregate floor area shall be measured between the interior sides of exterior walls, including stairways, halls, closets, and similar areas.

(.2) Provisions of Section [14-1403](#) (2), (3), and (4) of this Title are applicable.

(5) *Area Regulations.*

(a) *Minimum Area and Frontage.* The minimum area shall be 45,000 square feet, and said area shall have frontage on at least three streets, one of which shall be a minimum of 70 feet in width, and on which said area shall have a minimum frontage of 150 feet in length.

(b) *Occupied Area.* Not more than 50% of the lot shall be occupied by buildings; provided that no building, storage of any kind, or parking of vehicles or equipment shall be permitted within 25 feet of any lot line abutting a residential district.

(c) *Open Area.* The open area shall consist of any space not occupied by buildings and shall not total less than 50% of the lot area; provided that, where this district abuts a residential district, a green belt shall be planted and maintained in an area at least 10 feet in depth from any such abutting residential district, shall extend in length along the entire lot line abutting said residential district, and shall contain evergreens, shrubbery, and/or trees, at least four feet in height.

(d) *Floor Area.* The gross floor area shall not exceed an area equal to 150% of the area of the lot.

(e) *Building Set-back Line.* No building set-back line shall be required, subject to the provisions of § [14-107](#) of this Title.

(f) *Yards.* No front, side, or rear yards shall be required, however, any building not erected on lot lines

shall be erected at least five feet from said lot lines (subject to Section [14-306.1\(5\)\(b\)](#) and (c)).

*(6) Height Regulations.*

(a) The maximum height of any structure shall be 35 feet above the average ground level at the base of the structure, but in no case over three stories (subject to provisions of § [14-313\(1\)](#) [194](#)).

(7) *Off-street Loading.* Off-street loading spaces shall be provided in accordance with Chapter [14-1400](#) of this Title.

(8) *Signs.* Signs accessory to uses on the premises shall be permitted in this district only under the following conditions:

(a) One sign shall be permitted on each building and it shall not exceed 3 square feet for each linear foot of building facing any and only one street, shall be constructed facing only on that street designated for the above computation, and may be (1) attached flat against the wall of the building or marquee or, (2) upon the roof of a marquee, and may project above the roof or wall coping, but may not extend beyond the building walls. In the case of multiple users in one building, the locations and numbers of signs totaling not more than the allowable sign area as above set forth may be authorized by a certificate issued from the Zoning Board of Adjustment;

(b) Signs may be animated or illuminated; provided, the illumination shall not create glare upon the surrounding areas;

(c) Signs with flashing or intermittent illumination shall not be erected within 150 feet of any Residential District, nor facing any Residential District within 300 feet of the sign;

(d) Signs which revolve shall be prohibited;

(e) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.

## **§ 14-306.2. "C-7" Commercial District. [195](#)**

(1) *Use Regulations – General.* The uses permitted in this district shall be:

(a) In one or more completely enclosed buildings [196](#) unless otherwise specified;

(b) As respects the sale of goods or merchandise, shall be at retail;

(c) As respects the rendering of services, shall be with the ultimate consumer.

(2) *Uses Regulations – Without Certificate.* Subject to the provisions of (1) above, where applicable, the specific uses permitted in this district shall be the erection, construction, alteration or use of buildings and/or land for:

(a) The following sales, separately or in any combination: Antiques, art goods and artists supplies; automobile parts, excluding installation; bakery goods; bicycles; motorcycles; boats and farm equipment; books; photographic equipment; china; glass and metalware; confectionery goods; cosmetics; department store merchandise; draperies; drugs; dry goods; electric appliances and fixtures; floor coverings; florist merchandise; fruits and vegetables; furniture; garden supplies; gifts; groceries; hardware; hobby and handicraft merchandise; household appliances; jewelry; luggage; meat; music material and merchandise; musical instruments; newspapers and magazines; office equipment and supplies; optical and orthopedic goods; packaged paints; radio and television sets and parts; seafood except as provided in subparagraph (3)(t) below; sporting goods; stationery; variety store merchandise ("5-and-10-cent store"); wallpaper; watches and clocks; wearing apparel; [197](#)

(b) Art galleries, museums and libraries;

(c) Barber, beauty shop, bicycle rental, costume and clothing rental, hat cleaning, photography, tailor shop, and taxidermist; [198](#)

(d) Blueprinting, duplicating, and kindred reproduction services, not to exceed 2,000 square feet in gross floor area;

(e) Business or professional office or agency, financial institution, radio or television studio (for transmission towers see (3)(d) below);

(f) Central heating plant;

(g) Dental or prosthetic laboratories or optical lens grinding, not to exceed 2,000 square feet in gross floor area;

(h) Fire stations and police stations;

(i) Florist, including accessory greenhouse;

(j) Funeral parlors, including the sale of mortician's goods;

(k) Hand laundry, laundry pick-up agency and/or dry cleaning pick-up agency and each use, singly or in any combination, not to exceed 2,000 square feet in gross floor area;

(l) Instruction in music, arts and sciences;

(m) Laboratories (analytical, chemical, and research) and assay offices, not to exceed 2,000 square feet in gross floor area;

(n) Medical and surgical hospitals and medical centers, and sanitarium; personal service or treatment of patients; rest, old age, nursing, or convalescent homes, and child care centers;

(o) Post offices;

(p) Printing, publishing, and related trades and arts, not to exceed 2,000 square feet in gross floor area;

(q) Private open-air parking lot incidental and (except as provided in (7)(b) below) contiguous to any uses permitted in this district (subject to the provisions of Chapter [14-1400](#) of this Title);

(r) Repair of household appliances and fixtures, jewelry, musical instruments, photographic equipment, radio and television equipment and shoes, not to exceed 2,000 square feet in gross floor area;

(s) Restaurant, café, soda, or ice-cream fountain, or catering, including outdoor dining areas;

(t) Retail dry cleaning establishment using nonflammable solvents as approved by the Department of Licenses and Inspections, provided such use does not exceed 2,500 square feet in gross floor area;

(u) Self service dry cleaning establishment; provided

(.1) The Fire Marshal shall have certified that the premises, machines, equipment and materials are in compliance with the Fire Code as set forth in Chapter 5-800; [199](#)

(.2) An attendant over 21 years of age and trained in the use of the equipment on the premises employed by the licensee shall be present at all times when the premises where the self service dry cleaning establishment is located is open for business;

(.3) No operator of any coin operated dry cleaning equipment shall use or permit to be used any solvent other than that which has been approved, by the manufacturer of the equipment, for use therein;

(.4) An interlock system shall be provided on the machine to prevent the loading door from being opened during the normal cycle. Said system may be electrical or mechanical and so connected as to

remain effective in case of power failure;

(.5) The licensee shall permit only the front side of the dry cleaning machines to be accessible to the customers. The working or maintenance portion of the machines shall be so constructed, located and maintained so as to be not accessible to the customer. At no time when customers are present shall the concentration of vapors in the customer area from the dry cleaning solvent exceed one hundred parts per million;

(.6) There shall be prominently posted on the premises the name, address and telephone number of the owner or operator of said business and there shall be a public telephone on the premises in a conspicuous location;

(.7) Such use does not exceed 2,500 square feet in gross floor area;

(.8) Such use shall be permitted only from 6 A.M. to 1 A.M.;

(.9) Lights located on the outside of the premises shall not be permitted to remain lighted after 12 o'clock midnight;

(v) Self service laundry using residential type washing machines; provided, said use complies with the following terms and conditions: (1) Such use does not exceed 2,500 square feet in gross floor area; (2) Such use shall be permitted only from 6 A.M. to 1 A.M., and (3) Lights located on the outside of the premises shall not be permitted to remain lighted after closing time;

(w) Treatment and sale of pet birds and pet animals and animal hospitals, not to include dog kennels or public stables; [200](#)

(x) Water booster or sewer booster substations, water storage tanks or reservoirs, telephone exchange buildings, railroad passenger stations, waiting rooms or shelters for the use of bus or trolley passengers, electric transforming or gas regulating substations; provided, that any facilities used in connection with an electric transforming or gas regulating substation located in the open-air shall:

(.1) Not be within 50 feet of any Residential District;

(.2) Have a green belt planted and maintained in an area of at least 10 feet in depth around the entire inside perimeter of the lot, except at points of ingress or egress, to contain evergreens, shrubbery, and/or trees at least 4 feet in height;

(.3) Shall not be used for the storage of equipment or vehicles;

(y) Accessory uses, customarily incidental to any of the above permitted uses; provided, that the accessory use does not occupy more than 25% of the gross floor area, and does not include open air storage materials, equipment or merchandise, except as provided in subparagraph (q) above.

(3) *Use Regulations – With Certificate.* The following uses will be permitted in this district only if a Zoning Board of Adjustment Certificate, as hereinafter provided, is obtained, and only in completely enclosed buildings except in paragraphs (b)(.1), (c), and (d): [201](#)

(a) Automobile repair shop (not including body and fender work, or painting,) and repair shops not listed in § [14-306.2](#)(2) Use Regulations--Without Certificate;

(b) Automobile service station to include:

(.1) Retail sale of automobile fuels, lubricants, radiator fluids and accessories, indoors and outdoors;

(.2) Performance indoors of incidental service and minor repairs to automobiles (not including body and fender work or painting, clutch, cylinder, differential or transmission repairs); and

(.3) Incidental car washing indoors in an area not to exceed 400 square feet; and the inspection of

automobiles provided the same is licensed by the Commonwealth of Pennsylvania;

(c) Garages and parking as a main use: [202](#)

(.1) Public garage;

(.2) Private garage;

(.3) Public parking lot;

(.4) Private parking lot, except as permitted under paragraph (2)(q) above;

(d) Radio or television transmission tower;

(e) Sales of live poultry or live fish;

(f) Trolley and cab stations, bus terminals, car and bus barns;

(g) Installation of automobile, boat, motorcycle and truck parts; [203](#)

(h) Billiards, pool and bowling; [204](#)

(i) Indoor theater, bath house, and indoor swimming pool as a main use; [205](#)

(j) Delicatessen; [206](#)

(k) Take out restaurant; [207](#)

(l) The retail sale of malt beverages for take-out as an accessory use; [208](#)

(m) A use of the same general character as the uses specified in subparagraphs (a) through (l) above; [209](#)

(n) Uses customarily accessory and incidental to the uses specified in subparagraphs (a) through (m) above. [210](#)

(4) *Area Regulations.*

(a) *Lot Width and Area.* The minimum lot area shall be 5,000 square feet with a minimum frontage of 50 feet on a street.

(b) *Occupied Area.* Not more than 60% of the lot area shall be occupied by buildings.

(c) The open area shall be not less than 40% of the lot area.

(d) *Building Set-back Line.* No building set-back line shall be required in this district.

(e) *Floor Area.* The gross floor area shall not exceed an area equal to 75% of the area of the lot.

(f) *Yards.* No front, side, or rear yards shall be required, however, any building not erected on a lot line shall be erected at least five feet from such lot line.

(5) *Height Regulations.*

(a) The maximum height of any structure shall be 35 feet above the average ground level at the base of the structure, but in no case over three stories (subject to provisions of § [14-313\(1\)](#) [211](#)).

(6) *Off-street Loading.* Off-street loading spaces shall be provided in accordance with Chapter [14-1400](#) of this Title.

(7) *Off-street Parking.* [212](#)

(a) Subject to the provisions of (b) below, there shall be provided on the same lot at the time of the erection of any building or structure, or for the extension of any building or structure, or for the subdivision of this district into two or more parcels, off-street parking spaces for automobiles for all



new buildings or structures, for all extensions or additions, for all subdivisions as well as for all existing buildings regardless of when they were erected, and/or which zoning classification under which they were erected, in accordance with the following requirements: [213](#)

(.1) Each off-street parking space shall comply with all of the provisions of Section [14-1403](#) of this Title.

(.2) The number of parking spaces shall be provided in accordance with the following schedule: [214](#)

Building's Net Leasable Area	Spaces required per 1,000 square feet of net leasable area
1 - 400,000 square feet	4
400,001 - 600,000 square feet	4.5
600,001 and over	5

(.3) Newly erected indoor theaters, movie theaters and/or auditoriums or existing indoor theaters, movie theaters and/or auditoriums to which new additions are added after the effective date of this Section shall provide off-street parking at a ratio of one (1) parking space for every four (4) permanent seats; provided, that in the case of a building addition, this ratio shall be met by the existing indoor theater, movie theater and/or auditorium as well as the addition.

(.4) Landscaping, screening, lighting, and pedestrian walkways shall be provided in accordance with the requirements of § [14-1403](#)(3).

(.5) Where a "C-7" Commercial District is located within the same block frontage with a Residential District, the development of any portion of the off-street parking shall be designed so that all parking spaces and aisles are located behind the minimum set-back required by the most restrictive Residential District.

(b) In the event it is impractical or infeasible to provide parking on the same lot to fulfill all of the above requirements, the Zoning Board of Adjustment may grant a certificate to permit all or part of such parking area to be provided on another lot, not more than 550 feet from the nearest lot line of property it is proposed to serve, provided such parking space is under direct ownership or control of the owner or owners of such building or buildings.

(8) *Signs.* Signs accessory to uses on the premises shall be permitted in this district only under the following conditions:

(a) Only one sign shall be permitted on each building and it shall not exceed 2 square feet for each linear foot of building facing any and only one street, shall be constructed facing only on the street designated for the above computation, and may be (1) attached flat against the wall of the building or marquee or, (2) upon the roof of a marquee, and may project above the roof or wall coping, but may not extend beyond the building walls. In the case of multiple users in one building, the locations and numbers of signs totaling not more than the allowable sign area set forth may be authorized by a Certificate issued by the Zoning Board of Adjustment;

(b) Signs may be animated or illuminated; provided, the illumination shall be focused upon the sign



itself, so as to prevent glare upon the surrounding areas;

(c) Signs with flashing or intermittent illumination shall not be erected within 150 feet of any Residential District, nor facing any Residential District within 300 feet of the sign;

(d) Signs which revolve shall be prohibited;

(e) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.

*(9) Required Conditions.*

(a) Where a "C-7" Commercial District abuts a Residential District, the development of any portion of such "C-7" Commercial District abutting the residential district shall include:

(.1) Adequate screening along the boundary line between districts at least six feet in height above mean curb level;

(.2) Adequate lighting facilities for use at night, which lights shall be so focused so as to prevent glare on surrounding dwelling units.

(10) Notwithstanding the provisions of paragraphs (2) and (3) of this Section, all franchised dealers selling new automobiles, including those which also sell used automobiles, shall be and shall remain conforming uses and structures under the Philadelphia Code and shall not be restricted as non-conforming uses or structures so long as the Department of Licenses & Inspections has issued a use registration permit and a certificate of occupancy for that use prior to December 4, 2003. [215](#)

### **§ 14-307. "OC" Office-Commercial District.**

(1) *Use Regulations.* The specific uses permitted in this district shall be the erection, construction, alteration, or use of buildings and/or land for the following uses, to be conducted wholly within a completely enclosed building:

(a) Business or professional office or agency, financial institution, radio or television studio; radio or television transmission tower shall be permitted only if a Zoning Board of Adjustment Certificate is obtained;

(b) Day care, except in the Sixth and Tenth Councilmanic Districts; [216](#)

(c) Instruction in music, arts or sciences;

(d) Laboratories (analytical, chemical, and research) and assay offices;

(e) Personal service or treatment of patients;

(f) Detached multiple dwellings;

(g) Accessory uses, customarily incidental to any of the above permitted uses; provided, that the accessory use does not occupy more than 25% of the gross floor area, and does not include open air storage of materials, equipment or merchandise.

*(2) Area Regulations.*

(a) *Lot Width and Area.* The minimum lot width shall be 100 feet, and the minimum lot area shall be 10,000 square feet.

(b) *Occupied Area.* Not more than 50% of the lot area shall be occupied by buildings.

(c) *Open Area.* The open area shall be not less than 50% of the lot area and shall consist of at least the required minimum front and rear yards in all cases, plus such other side yards or open courts as shall be required to equal an area not less than the total open area above required.

(d) *Building Set-back Line.* The building set-back line shall be 20 feet from all street lines. [217](#)

(e) *Front Yards.* The minimum depth of a front yard shall be the depth required between the street line and the building set-back line, as herein specified.

(f) *Side Yards and Open Courts.* When side yards or open courts are used, except open courts between wings of the same building, they shall have a minimum width of 12 feet, subject to the following provisions:

(.1) Any multiple dwelling erected in this district shall have two side yards, each of which shall be not less than 12 feet in width;

(.2) In no case shall any building be erected closer than 35 feet to any Residential District; provided, that any building used solely as a multiple dwelling shall have a side yard of 12 feet.

(g) *Open Courts Between Wings of the Same Building.* Open courts between wings of the same building shall be not less than 12 feet in minimum width; except in the case of courts between wings of multiple dwellings which shall be determined by the following requirements:

(.1) For buildings of three stories or less and not in excess of thirty-five feet high, the minimum width shall be not less than the length or depth of such court;

(.2) For buildings over three stories or over thirty-five feet in height, whichever is less, the minimum width shall be not less than the length or depth of such court plus one-third of that portion of the height of the building over three stories or thirty-five feet.

(h) *Inner Courts.* The least dimension of an inner court shall be eight feet, and shall contain a minimum area of 100 square feet, except in the case of such courts in multiple dwellings, the dimensions of which shall be equal to the height of the higher wall between which each dimension of the court is being measured.

(i) *Rear Yard.* In no case shall any building be erected closer than 35 feet to any Residential District; provided, that any building used solely as a multiple dwelling shall have a rear yard of 12 feet.

(3) *Height Regulations.* There shall be no height regulations except as height may be limited by the other applicable provisions of this district.

(4) *Floor Area.* No building in this district shall have a gross floor area greater than 150% of the area of the lot.

(5) *Off-street Loading.* Off-street loading spaces shall be provided in accordance with § [14-1405](#) of this Title.

(6) *Off-street Parking.*

(a) *Buildings and Portions of Buildings Not Used for Dwelling.* With every 600 square feet of gross floor area not used for dwellings erected in this district there shall be provided one off-street parking space in accordance with the provisions of Chapter [14-1400](#) of this Title, which shall be located behind the building set-back line.

(b) *Dwellings.* With every dwelling erected in this district there shall be provided one off-street parking space for each family in accordance with the provisions of Chapter [14-1400](#) of this Title.

(7) *Signs.* Signs shall be permitted in this district only under the following conditions:

(a) Signs shall not exceed a total area of 50 square feet upon any street line frontage;

(b) Signs which are free-standing structures on the ground shall not exceed 20 feet in height, measured from the average level of the ground of the lot to the top of said structure;

- (c) Signs may be animated or illuminated; provided, that the illumination shall be focused upon the sign itself so as to prevent glare upon the surrounding areas;
- (d) Signs with flashing or intermittent illumination shall not be erected within 150 feet of any Residential District, nor facing any Residential District within 300 feet of the sign;
- (e) Signs which revolve shall be prohibited;
- (f) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.

### **§ 14-308. Neighborhood Shopping Center District.**

(1) *Use Regulations.* The specific uses permitted in this district shall be the erection, construction, alteration, or use of buildings and/or land (subject to § [14-308\(3\)](#) Required Conditions) for: [218](#)

(a) The following sales or services, separately, or in any combination: hardware, shoe repairing, dry goods, jewelry, groceries, meat, delicatessen, bakery goods, confections, drugs, wearing apparel, tailoring, personal services; laundries, including self-service establishments; laundry pick-up station and dry cleaning pick-up station; retail dry cleaning establishment not to exceed 2,500 square feet in gross floor area; [219](#)

(b) Self service dry cleaning establishment; provided

(.1) The Fire Marshal shall have certified that the premises, machines, equipment and materials are in compliance with the Fire Code as set forth in Chapter 5-800; [220](#)

(.2) An attendant over 21 years of age and trained in the use of the equipment on the premises employed by the licensee shall be present at all times when the premises where the self-service dry cleaning establishment is located is open for business;

(.3) No operator of any coin operated dry cleaning equipment shall use or permit to be used any solvent other than that which has been approved, by the manufacturer of the equipment, for use therein;

(.4) An interlock system shall be provided on the machine to prevent the loading door from being opened during the normal cycle. Said system may be electrical or mechanical and so connected as to remain effective in case of power failure;

(.5) The licensee shall permit only the front side of the dry cleaning machines to be accessible to the customers. The working or maintenance portion of the machines shall be constructed, located and maintained so as to be not accessible to the customer. At no time when customers are present shall the concentration of vapors, in the customer area from the dry cleaning solvent exceed one hundred parts per million;

(.6) There shall be prominently posted on the premises the name, address and telephone number of the owner or operator of said business and there shall be a public telephone on the premises in a conspicuous location;

(c) Business or professional office or agency, financial institution, library, or studio; [221](#)

(d) Restaurant, café, bakery, or soda or ice cream fountain, including outdoor dining areas;

(e) Day care, except in the Sixth and Tenth Councilmanic Districts; [222](#)

(f) A use of the same general character as (a) to (d) above, when authorized by a Zoning Board of Adjustment Certificate;

(g) Accessory uses not otherwise prohibited, customarily incidental to any permitted principal use.

(2) *Use Regulations – With Certificate.* [223](#) The following uses will be permitted in this district only if a Zoning Board of Adjustment Certificate, as hereinafter provided, is obtained, and only in completely enclosed buildings:

- (a) Delicatessen;
- (b) Take out restaurant;
- (c) The retail sale of malt beverages for take-out as an accessory use.

(3) *Required Conditions.* [224](#)

(a) All uses set forth in subsection (1) shall be conducted wholly within a completely enclosed building, except for automobile parking and outdoor dining areas;

(b) All uses set forth in subsection (1) shall be conducted at retail only;

(c) No single store shall occupy an area exceeding 4,000 square feet.

(4) *Area Regulations.* [225](#)

(a) *Building Set-back Line.* No building set-back shall be required in this district.

(5) *Height Regulations.* [226](#)

(a) The maximum height of any structure shall be 35 feet above the average ground level at the base of the structure, but in no case over three stories.

(6) *Off-street Parking.* [227](#)

(a) There shall be provided on the same lot, at the time of erection of any building or structure, or for the extension of any building or structure, or for the subdivision of this district into two (2) or more parcels, off-street parking spaces for automobiles for all new buildings or structures, for all extensions or additions, for all subdivisions, as well as for all existing buildings regardless of when they were erected and/or under which zoning classification they were erected, in accordance with the following requirements:

(.1) Off-street parking spaces in compliance with all of the provisions of § [14-1403](#) of this Title;

(.2) The number of parking spaces shall be provided according to the following schedule: [228](#)

Building's Net Leasable Area	Spaces required per 1,000 square feet of net leasable area
1 - 400,000 square feet	4
400,001 - 600,000 square feet	4.5
600,001 and over	5

(b) Landscaping, screening, lighting, and pedestrian walkways shall be provided in accordance with the requirements of § [14-1403](#)(3). Provided, this subsection shall not apply to the construction or erection of an addition to an existing building or structure or of a new building or structure in an existing Neighborhood Shopping Center which contains net leasable area which is fifteen percent

(15%) or less (but in no case more than five thousand square feet) than the net leasable area of the existing building, structure or Neighborhood Shopping Center.

(c) Where a Neighborhood Shopping Center District is located within the same block frontage as a Residential District, the development of any portion of the off-street parking shall be designed so that all parking spaces and aisles are located behind the minimum set-back required by the most restrictive Residential District.

(7) *Signs.* [229](#) Signs accessory to uses on the premises shall be permitted in this district only under the following conditions:

(a) The total area of signs permitted on buildings shall not exceed five square feet for each lineal foot of store-front width, and may be attached flat against the wall of the building or marquee, or upon the roof of a marquee, and may project above the roof or wall coping, but may not extend beyond the building walls;

(b) In addition to the signs allowed in subsection (a) above, one free-standing sign shall be permitted under the following conditions;

(.1) Such sign is located upon the lot where permitted uses are in existence;

(.2) The uses upon the lot exceed a sales-floor area of 15,000 square feet; and

(.3) Such sign shall not contain more than two sign faces with a total area of 200 square feet, exclusive of supporting structures, nor exceed in total height 40 feet from grade level to the top of the sign;

(c) Signs may be animated or illuminated; provided, the illumination shall be focused upon the sign itself so as to prevent glare upon the surrounding areas;

(d) Signs with flashing or intermittent illumination shall not be erected within 150 feet of any Residential District, nor facing any Residential District within 300 feet of the sign;

(e) Signs which revolve shall be prohibited;

(f) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.

### **§ 14-309. Area Shopping Center District. [230](#)**

(1) *Minimum District Area and Frontage.* The minimum area for an Area Shopping Center District shall be 80,000 square feet, with a minimum frontage of 200 feet on a street.

(2) *Use Regulations.* The specific uses permitted in this district shall be the erection, construction, alteration or use of buildings and/or land for the following services and/or sales on the premises at retail, separately or in any combination:

(a) Antiques, art goods and artists supplies, automobile showrooms (excluding repairs or service), bakery goods, books, china, glass and metalware, confectionery, cosmetics, delicatessen, department store merchandise, draperies, drugs, dry goods, electrical appliances, floor coverings, florist merchandise, fruits and vegetables, furniture, garden supplies, gifts, groceries, hardware, hobby [230.1](#) and handicraft merchandise, household appliances, jewelry, liquor and other alcoholic beverages (except as provided in Section [14-309\(3\)\(a\)](#) below), luggage, meat, music materials and merchandise, music studio, newspapers and magazines, office supplies, optical or orthopedic goods, package paints, pet shops, photographic supplies, radio and television set and parts, seafood, shoes, sports goods, stationery, tire store, variety store merchandise, wallpaper, watch repairs, wearing apparel; sale of live poultry, live fish, or live animals, for human consumption when authorized by a Zoning Board of

Adjustment Certificate; [231](#)

(b) Barber shop, beauty shop, bowling alley, children's nursery, hat cleaning, laundry and dry cleaning pick-up station, library, photographer, post office, retail dry cleaning establishment, laundries, including self-service establishments, shoe repair shop, tailor shop;

(c) Self service dry cleaning establishment; provided

(.1) The Fire Marshal shall have certified that the premises, machines, equipment and materials are in compliance with the Fire Code as set forth in Chapter 5-800; [232](#)

(.2) An attendant over 21 years of age and trained in the use of the equipment on the premises employed by the licensee shall be present at all times when the premises where the self service dry cleaning establishment is located is open for business;

(.3) No operator of any coin operated dry cleaning equipment shall use or permit to be used any solvent other than that which has been approved, by the manufacturer of the equipment, for use therein;

(.4) An interlock system shall be provided on the machine to prevent the loading door from being opened during the normal cycle. Said system may be electrical or mechanical and so connected as to remain effective in case of power failure;

(.5) The licensee shall permit only the front side of the dry cleaning machines to be accessible to the customers. The working or maintenance portion of the machines shall be so constructed, located and maintained so as to be not accessible to the customer. At no time when customers are present shall the concentration of vapors, in the customer area from the dry cleaning solvent exceed one hundred parts per million;

(.6) There shall be prominently posted on the premises the name, address and telephone number of the owner or operator of said business and there shall be a public telephone on the premises in a conspicuous location;

(d) Automobile service station for the retail sale of automobile fuels, lubricants, radiator fluids and accessories, and for the performance indoors of incidental service and minor repairs to automobiles (not including body and fender work or painting, clutch, cylinder, differential or transmission repairs), incidental car washing indoors in an area not to exceed 400 square feet, and the inspection of automobiles; provided, the same is licensed by the Commonwealth of Pennsylvania;

(e) Business or professional office or agency, financial institution, school, or studio;

(f) Indoor theater;

(g) Restaurant, café, catering, or soda or ice cream fountain, including outdoor dining areas; [233](#)

(h) Hotel as defined in § [14-102](#)(29);

(i) Car washing establishment, using mechanical equipment for the purpose of washing and/or polishing automobiles and other vehicles; provided, a Zoning Board of Adjustment certificate, as herein provided, is obtained. Such Zoning Board of Adjustment Certificate shall only be issued where such use will have on the premises: (1) a waiting area for incoming cars accessible to the entrance end of the washing equipment, of at least 4,000 square feet, and (2) an area beyond the exit end of the washing equipment, of at least 400 square feet, so situated as to be usable for the hand finishing of the washing process;

(j) A use of the same general character as (a) through (h) above, when authorized by a Zoning Board of Adjustment Certificate;

(k) Accessory uses, not otherwise prohibited, customarily incidental to any permitted principal use.



(3) *Use Regulations – With Certificate.* [234](#) The following uses will be permitted in this district only if a Zoning Board of Adjustment Certificate, as hereinafter provided, is obtained, and only in completely enclosed buildings:

(a) The retail sale of malt beverages for take-out as an accessory use.

(4) *Required Conditions.* [235](#)

(a) All business, service, or processing shall be conducted wholly within a completely enclosed building, except for automobile parking, the sale of automotive fuel, lubricants, accessories, and radiator fluids at service stations, outdoor dining area, and outdoor selling area located contiguous to the building and not exceeding an area equal to 5% of the sum of the aggregate floor area of all floors of the buildings erected on the premises; provided, any other outdoor accessory use shall be permitted only by a Zoning Board of Adjustment Certificate.

(5) *Area Regulations.* [236](#)

(a) *Minimum Lot Area.* The minimum area for a lot within an Area Shopping Center District shall be 15,000 square feet with a minimum frontage of 100 feet on a street; provided, however, that all other qualifications of the District are complied with.

(b) *Building Set-back Line.* No building set-back shall be required in this District, subject to the provisions of § [14-107](#) of this Title.

(6) *Height Regulations.* [237](#)

(a) The maximum height of any structure shall be 35 feet above the average ground level at the base of the structure, but in no case over three stories, except that one foot of additional height may be added for each additional foot the buildings sets back from all lot lines; provided, however, that the maximum height shall not exceed 65 feet (subject to provisions of § [14-313](#)(1) [238](#)).

(7) *Off-street Parking.* [239](#)

(a) There shall be provided on the same lot, at the time of erection of any building or structure, or for the extension of any building or structure, or for the subdivision of this district into two (2) or more parcels, off-street parking spaces for automobiles for all new buildings or structures, for all extensions or additions, for all subdivisions, as well as for all existing buildings regardless of when they were erected and/or under which zoning classification they were erected, in accordance with the following requirements:

(.1) Off-street parking spaces in compliance with all of the provisions of § [14-1403](#) of this Title;

(.2) For all permitted uses except those listed in subparagraph (.3) below number of parking spaces shall be provided according to the following schedule: [240](#)

Building's Net Leasable Area	Spaces required per 1,000 square feet of net leasable area
1 - 400,000 square feet	4
400,001 - 600,000 square feet	4.5



(.3) Newly erected indoor theaters, movie theaters and/or auditoriums or existing indoor theaters, movie theaters and/or auditoriums to which new additions are added after the effective date of this Section shall provide off-street parking at a ratio of one (1) parking space for every four (4) permanent seats; provided, that in the case of a building addition, this ratio shall be met by the existing indoor theater, movie theater and/or auditorium as well as the addition;

(.4) For the purposes of computing the number of parking spaces required for any building which contains two (2) or more stories existing on the effective date of this Section, the net leasable area of all floors above the first floor shall require one-half of the ratio required in subsection (.2) above;

(.5) Within an Area Shopping Center District the parking required in subparagraphs (.2) through (.4) may be located on separate lots, when such lots are within the same block or are located immediately across a bordering street, provided a Special Use Permit as set forth in § [14-1803](#) is granted by the Zoning Board of Adjustment.

(b) Landscaping, screening, lighting, and pedestrian walkways shall be provided in accordance with the requirements of § [14-1403](#)(3). Provided, this subsection shall not apply to the construction or erection of an addition to an existing building or structure or of a new building or structure in an existing Area Shopping Center which contains net leasable area which is fifteen percent (15%) or less (but in no case more than five thousand square feet) than the net leasable area of the existing building, structure or Area Shopping Center.

(c) Where an Area Shopping Center District is located within the same block frontage as a Residential District, the development of any portion of the off-street parking shall be designed so that all parking spaces and aisles are located behind the minimum set-back required by the most restrictive Residential District.

(8) *Signs.* [241](#) Signs accessory to uses on the premises shall be permitted in this district only under the following conditions:

(a) The total area of signs permitted on buildings shall not exceed five square feet for each lineal foot of store-front width, and may be attached flat against the wall of the building or marquee, or upon the roof of a marquee, and any project above the roof or wall coping, but may not extend beyond the building walls;

(b) In addition to the signs allowed in subsection (a) above, one free-standing sign for each 80,000 square feet of District Area shall be permitted under the following conditions:

(.1) Such sign is accessory to the uses permitted within the district;

(.2) The uses within each 80,000 square feet of District Area exceed a sales-floor area of 15,000 square feet;

(.3) Such sign shall not contain more than two sign faces with a total area of 300 square feet, exclusive of supporting structures, nor exceed in total height 40 from grade level to the top of the sign;

(c) Signs may be animated or illuminated; provided, the illumination shall be focused upon the sign itself, so as to prevent glare upon the surrounding areas;

(d) Signs with flashing or intermittent illumination shall not be erected within 150 feet of any Residential District, nor facing any Residential District within 300 feet of the sign;

(e) Signs which revolve shall be prohibited;

(f) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.

**§ 14-310. Reserved.**

**§ 14-311. Reserved.**

**§ 14-312. Commercial District Rules and Exceptions for All Districts. [242](#)**

The following shall apply to all Commercial Districts:

(1) *Parking for Dance Halls, Night Clubs or Restaurants.* The following parking requirements shall apply notwithstanding any other parking requirements in the Commercial Districts to land located within the area set forth below:

(a) *Location.* These regulations shall apply to all dance halls, night clubs or restaurants located in the following area:

(.1) Within the area bounded by Rhawn street, the Delaware River, the Philadelphia Naval Base and the Delaware Expressway (I-95) excluding the area bounded by the north side of Market street extended, the pierhead line of the Delaware River, the south side of South street extended and the easterly side of Christopher Columbus Boulevard (otherwise known as Penn's Landing);

(.2) Within the area bounded by the Schuylkill River, the Wissahickon Creek, the SEPTA Norristown Railroad, the properties fronting on Gay street and Baker street and Leverington street extended to the Schuylkill River; [243](#)

(.3) On both sides of Lancaster Avenue between Sixty-Third Street and Girard Avenue. [244](#)

(b) *Required Parking Spaces.* The number of required parking spaces for any dance hall, night club or restaurant shall be determined by the legal occupancy (pursuant to Section 806.0, "Occupant Load", of the BOCA National Building Code) of the use as follows:

(.1) Dance Hall. One space for every 2 occupants;

(.2) Night Club. One space for every 2 occupants;

(.3) Restaurant. One space for every 4 occupants.

(c) *Parking for Restaurants or Nightclubs in Hotels.* [245](#) In the case of a restaurant or a nightclub which is an accessory use to a hotel, the various parking requirements of this Title shall not be cumulative. The most restrictive provisions shall apply.

(d) *Location of Parking.* [246](#) All required parking shall be provided as follows:

(.1) For land located within the area as described in § [14-312](#)(1)(a)(.1) above all required parking shall be located either on the same lot as the dance hall, night club or restaurant or on an abutting lot; provided that required parking may be located on a non-abutting lot (where public parking is a permitted use [247](#)) within 1,000 feet of the dance hall, night club or restaurant provided a Zoning Board of Adjustment Special Use Permit is obtained;

(.2) For land located within the area as described in § [14-312](#)(1)(a)(.2) and § [14-312](#)(1)(a)(.3) above all required parking shall be located either on the same lot as the dance hall, night club or restaurant or on an abutting lot; provided that required parking may be located on a non-abutting lot (where public parking is a permitted use) within 1,000 feet of the dance hall, night club or restaurant provided a Zoning Board of Adjustment Special Use Permit is obtained; further provided, that required parking that is to be located on a lot other than the same lot as the dance hall, night club or restaurant or on an

abutting lot shall also be located within the geographic boundaries set forth in § [14-312\(1\)\(a\)\(.2\)](#) and § [14-312\(1\)\(a\)\(.3\)](#); [248](#)

(.3) In the case of parking spaces which are required for dance halls, nightclubs or restaurants that are located between Dickinson street, Christopher Columbus boulevard, Reed street and Water street, when such spaces are located within the right-of-way of I-95/Delaware Expressway between Dickinson street and Reed street and are subject to a lease with the Interstate Land Management Corporation, its [249](#) successors and assigns, such parking spaces shall be considered to be on an abutting lot and shall not be required to obtain a Special Use Permit as provided in § [14-312\(1\)\(d\)\(.1\)](#) above. [250](#)

(2) *Wireless Telecommunications.* [251](#)

(a) In "C-2", "C-7", and "NSC", Wireless Service Facilities (Facilities) shall be permitted with the granting of a Zoning Board of Adjustment Special Use Permit, provided, all of the conditions set forth in § [14-231\(8\)](#) have been met, further provided that antennas to be placed on an existing structure shall be permitted without the granting of a Zoning Board of Adjustment Special Use Permit or meeting any of the conditions set forth in § [14-231\(8\)](#).

(b) In "C-3", "C-4", "C-5", "C-6", "OC", and "ASC", Facilities shall be permitted provided all of the following conditions have been met, further provided that antennas to be placed on an existing structure shall be permitted without meeting any of the following conditions:

(.1) *Distance from Residential Dwelling Units.* Facilities shall not be located within 250 feet of a lot line of any residential dwelling unit, provided that where a fall zone of greater than 250 feet is required the greater fall zone distance shall apply;

(.2) *Minimum Lot Size.* The minimum lot size for a newly erected Facility shall be 2000 square feet;

(.3) *Yard Requirements.* Buildings and structures which are part of a newly erected Facility shall conform to the minimum yard, set-back and height (excluding antennas, towers or support structures) requirements of the individual district in which they are located;

(.4) *Screening.*

(.a) Around any newly erected Facility, a continuous evergreen screen shall be required. The screen can be either a hedge or a row of evergreen trees. The evergreen screen shall be a minimum 6 feet in width with a minimum height of 6 feet at planting, and shall have the potential to grow to a minimum of 15 feet at maturity;

(.b) Any auxiliary structure, building or equipment accessory to antennas placed on an existing structure which is not located within the existing structure shall be screened with materials compatible with the existing structure or with a continuous evergreen screen which is at least as high as the structure, building or equipment at the time of planting;

(.c) The specimen of vegetation to be planted shall be selected from a list of trees recommended by the Fairmount Park Commission and the City Planning Commission. Provided, that if the Planning Commission determines that existing structures, [252](#) buildings, vegetation, topography, or other natural features achieves the same level of screening as required above and informs the Department of Licenses and Inspections in writing of this finding, the requirements of this paragraph may be modified or not applied;

(.5) *Height Limit.* The maximum height limit of service towers whether built on the ground or on the roof of an existing building shall be the height limit of the district in which they are located;

(.6) *Fall Zone.* Within the lot where the facility is located there shall be a fall zone around the entire tower whose radius is equal to the height of the tower above average ground level at its highest point;

(.7) *Fencing*. Unless the tower is located on an existing building, the Facility shall be completely enclosed by a six (6) foot high chain link or similar fence, provided, the entire fence shall be located behind the required landscape screen and the required set-back;

(.8) *Guy Wires*. All guy wires and all guyed towers shall be clearly marked so as to be visible at all times and all guy wires shall be a minimum 10 feet from a property line, and;

(.9) *Lighting*. All lighting, other than required by the FAA, [253](#) shall be shielded and reflected from adjoining properties.

(3) *Reserved*. [254](#)

### **§ 14-313. Commercial District Rules and Exceptions. [255](#)**

The following shall apply to all Commercial Districts except the "C-4" and "C-5" Commercial Districts. [256](#)

(1) *Appurtenances Above Height Restrictions*. The following appurtenances of buildings when directly attached as part of the main building may be erected to heights in excess of the prescribed height limit in a Commercial District:

- (a) Chimneys;
- (b) Fire-escape towers;
- (c) Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, heating and cooling towers, or similar equipment required to operate and maintain the building;
- (d) Fire walls;
- (e) Radio and television aerials;
- (f) Flagpoles;
- (g) Airplane beacons.

(2) *Use Regulations of Open Area*. Open areas required in Commercial Districts shall not be used for permanent storage purposes, but may be used for temporary storage purposes for a period of not more than one month on approval of the Zoning Board of Adjustment, but any such use to be permitted for a longer period shall require a public hearing thereon, after which a Zoning Board of Adjustment certificate may be issued for a period not exceeding one year in any case.

(3) *Decks and Patios*. [257](#) Decks and patios shall be permitted only in accordance with the following requirements:

- (a) A deck or patio may not be enclosed by a fence more than forty-two (42) inches in height;
- (b) *Front yard*. A deck or patio shall be prohibited between the street line and the front wall of any building;
- (c) *Side yard*. Any deck or patio shall be prohibited;
- (d) *Rear yard*. Any deck or patio may be permitted between the rear wall and rear property line of any building and shall not be considered as occupied area provided the following conditions are met:
  - (.1) *Extension of commercial use*. No deck or patio shall extend the commercial use of the property;
  - (.2) *Roofs, walls, stairs*. No deck may be enclosed by walls and/or a roof above the usable surface of the deck, nor enclosed by walls below the usable surface. Stairs from the ground level to the deck shall

not be permitted;

(.3) *Access to garage.* No deck or patio shall be constructed and/or located so as to prevent vehicular access to any existing garage whether or not the garage is providing required off street parking for the use of the lot;

(.4) *Minimum distance from driveway and for rear property line.* Any deck or patio shall be constructed so that it is not closer at any point then three (3) feet from the edge of any driveway and/or rear property line serving two or more lots;

(.5) *Minimum distance from lot lines.* Any deck or patio shall be constructed so that all vertical support elements are located at a minimum distance of one foot (1) six inches (6) from all lot lines;

(e) *Temporary storage.* Decks and patios, and the area below the usable surface, shall not be used for permanent storage purposes, but may be used for temporary storage for not more than one (1) month on approved by the Zoning Board of Adjustment.

## Notes

[111](#) Amended, 1969 Ordinances, p. 305; amended, 1969 Ordinances, p. 311.

[112](#) Amended, 1970 Ordinances, p. 1250.

[113](#) Amended, 1982 Ordinances, p. 1379.

[114](#) Added, 1982 Ordinances, p. 1379.

[115](#) Amended, 1979 Ordinances, p. 233.

[116](#) Amended, 1979 Ordinances, p. 233.

[117](#) Added and subsequent subsections renumbered, Bill No. 060582-A (became law December 7, 2006).

[118](#) Amended, 1979 Ordinances, p. 233.

[119](#) Amended, 1979 Ordinances, p. 233; amended, 1982 Ordinances, p. 1379.

[120](#) Amended, 1979 Ordinances, p. 36; amended, 1979 Ordinances, p. 233; amended, Bill No. 20 (approved March 8, 1985).

[121](#) Amended, 1979 Ordinances, p. 233; amended, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.

[122](#) Amended, 1979 Ordinances, p. 233.

[123](#) Amended, 1979 Ordinances, p. 233.

[124](#) Amended, 1979 Ordinances, p. 233. Subsection cross-reference renumbered.

[125](#) Added and subsequent subsections renumbered, Bill No. 010540 (approved December 19, 2001).

[126](#) Amended, 1979 Ordinances, p. 233.

[127](#) Amended, 1979 Ordinances, p. 233.

[128](#) Amended, 1979 Ordinances, p. 233.

[129](#) Amended, 1979 Ordinances, p. 233.

[130](#) Amended, 1979 Ordinances, p. 233.

[131](#) Amended, 1979 Ordinances, p. 233.

[132](#) Amended, 1979 Ordinances, p. 233.

[133](#) Amended, 1979 Ordinances, p. 233.

- [134](#) Amended, 1979 Ordinances, p. 233.
- [135](#) Amended, 1979 Ordinances, p. 233; amended, 1980 Ordinances, p. 32. Subsection cross-reference renumbered. Amended, Bill No. 040999 (approved February 16, 2005).
- [136](#) Amended, 1979 Ordinances, pp. 233 and 973.
- [137](#) Amended, 1979 Ordinances, p. 233.
- [138](#) Amended, 1979 Ordinances, p. 36; amended, 1979 Ordinances, p. 233. Former subsection (2)(r), relating to outdoor advertising and non-accessory advertising signs, amended by 1979 Ordinances, pp. 36 and 233, was deleted by 1985 Ordinances, p. 99, which renumbered former subsection (2)(s) as (2)(r). Amended, Bill No. 040999 (approved February 16, 2005).
- [139](#) Amended, 1979 Ordinances, p. 233; amended, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [140](#) Amended, 1979 Ordinances, p. 233.
- [141](#) Amended, 1979 Ordinances, p. 233.
- [142](#) Amended, 1979 Ordinances, p. 233.
- [143](#) Amended, 1979 Ordinances, p. 233.
- [144](#) Amended, 1979 Ordinances, p. 233.
- [145](#) Amended, 1979 Ordinances, p. 233.
- [146](#) Amended, 1979 Ordinances, p. 233.
- [147](#) Amended, 1979 Ordinances, p. 233.
- [148](#) Amended, 1979 Ordinances, p. 233.
- [149](#) Amended, 1979 Ordinances, p. 233.
- [150](#) Amended, 1979 Ordinances, p. 233.
- [151](#) Amended, 1979 Ordinances, p. 233.
- [152](#) Amended, 1979 Ordinances, p. 233.
- [153](#) Amended, 1979 Ordinances, p. 233.
- [154](#) Amended, 1979 Ordinances, p. 233.
- [155](#) Amended, 1979 Ordinances, p. 233.
- [156](#) Amended, 1979 Ordinances, p. 233.
- [157](#) Amended, 1979 Ordinances, p. 233.
- [158](#) Amended, 1979 Ordinances, p. 233; amended, Bill No. 000337 (approved September 12, 2000).
- [159](#) Amended, 1979 Ordinances, p. 233.
- [160](#) Amended, 1979 Ordinances, p. 233; amended, 1980 Ordinances, p. 32; amended, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [161](#) Amended, 1979 Ordinances, p. 233.
- [162](#) Amended, 1979 Ordinances, p. 233; amended, 1993 Ordinances, p. 1195.
- [163](#) Amended, 1979 Ordinances, p. 233.
- [164](#) Amended, 1979 Ordinances, p. 233.
- [165](#) Amended, 1979 Ordinances, p. 233.
- [166](#) Amended, 1979 Ordinances, p. 233.
- [167](#) Referenced material now appears in Title 4, Subcode F.
- [168](#) Amended, 1979 Ordinances, p. 233.



- [169](#) Amended, 1979 Ordinances, p. 233.
- [170](#) Amended, 1979 Ordinances, p. 233.
- [171](#) Amended, 1977 Ordinances, p. 36.
- [172](#) Referenced material now appears in Title 4, Subcode F.
- [173](#) Amended, 1972 Ordinances, p. 570; amended, 1979 Ordinances, p. 233; amended, 1980 Ordinances, p. 32.
- [174](#) Amended, Bill No. 000337 (approved September 12, 2000).
- [175](#) Amended, 1980 Ordinances, p. 32.
- [176](#) Added, 1977 Ordinances, p. 36.
- [177](#) Amended, 1963 Ordinances, p. 692.
- [178](#) Amended, 1963 Ordinances, p. 692.
- [178.1](#) Amended, Bill No. 080837 (approved December 22, 2008).
- [178.2](#) Amended, Bill No. 080837 (approved December 22, 2008).
- [179](#) Amended, 1977 Ordinances, p. 36.
- [180](#) Former § 14-305 repealed and new § 14-305 added, 1991 Ordinances, p. 1104. Section 2 of the Ordinance adding the new § 14-305 provides as follows: "Effective Date. This Ordinance shall be effective on January 1, 1992. Any application submitted to the Department of Licenses and Inspections between January 1, 1992 and January 1, 1993 shall be approved when the applicant elects to conform to this Ordinance. Otherwise, the applicant must conform to the requirements and regulations of the Zoning Code in effect prior to December 31, 1991."
- [180.1](#) Added, Bill No. 060963 (approved April 26, 2007).
- [180.2](#) Added, Bill No. 070370 (approved October 18, 2007).
- [181](#) Amended, Bill No. 980779 (approved December 30, 1998).
- Amended, Bill No. 080588 (approved December 22, 2008). Bill No. 080588 contains the following sunset and effective date provisions: "SECTION 4. Sunset provision. (1) This Ordinance shall lapse on January 1, 2011, unless, on or before such date, either: (a) A building permit has been issued pursuant to a Plan of Development approved pursuant to Section 3 hereof; provided, further, that, should such building permit or any zoning permit issued pursuant to an approved Plan of Development expire due to a failure to construct, this
- [181.1](#) Ordinance shall lapse at such time; or (b) The City Planning Commission has granted an extension of up to one (1) year upon a determination by the Commission that the applicant is making substantial progress toward implementation of the approved Plan of Development. SECTION 5. The provisions of Section 1 of this Ordinance shall not take effect with respect to any parcel re-zoned by this Ordinance until the City Planning Commission certifies to the Department of Licenses and Inspections and the Chief Clerk of Council that the Commission has approved a Plan of Development for such parcel pursuant to Section 3 of this Ordinance."
- [182](#) Enrolled bill read "§ 14-312", which was subsequently renumbered by 1994 Ordinances, p. 1028.
- [183](#) Enrolled bill read "§ 14-312", which was subsequently renumbered by 1994 Ordinances, p. 1028.
- [184](#) Enrolled bill read "§ 14-312", which was subsequently renumbered by 1994 Ordinances, p. 1028.
- [185](#) Enrolled bill read "§ 14-312", which was subsequently renumbered by 1994 Ordinances, p. 1028.



- [186](#) Enrolled bill read "§ 14-312", which was subsequently renumbered by 1994 Ordinances, p. 1028.
- [187](#) Enrolled bill read "§ 14-312", which was subsequently renumbered by 1994 Ordinances, p. 1028.
- [188](#) Enrolled bill read "§ 14-312", which was subsequently renumbered by 1994 Ordinances, p. 1028.
- [189](#) Amended, Bill No. 060140 (approved June 8, 2006).
- [189.1](#) Added, Bill No. 060963 (approved April 26, 2007).
- [189.2](#) Added, Bill No. 080588 (approved December 22, 2008). For sunset and effective date provisions, see note 181.1.
- [190](#) Enrolled bill read "150,000-50,000 sq. ft."
- [191](#) Enrolled bill read "500,000 for each additional 500,000 sq. ft. over 500,000 sq. ft."
- [192](#) Former § 14-306 repealed, 1991 Ordinances, p. 1104.
- [193](#) Added, 1969 Ordinances, p. 305.
- [194](#) Enrolled bill read "§ 14-312(1)", which was subsequently renumbered by 1994 Ordinances, p. 1028.
- [195](#) Added, 1969 Ordinances, p. 311.
- [196](#) Amended, 1979 Ordinances, p. 233.
- [197](#) Amended, 1979 Ordinances, p. 233; amended, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581; amended, Bill No. 010368-AA (approved December 31, 2003).
- [198](#) Amended, 1979 Ordinances, p. 233.
- [199](#) Referenced material now appears in Title 4, Subcode F.
- [200](#) Amended, 1979 Ordinances, p. 973.
- [201](#) Amended, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581; amended, Bill No. 010368-AA (approved December 31, 2003).
- [202](#) Amended, by deleting subsection (.5), Bill No. 010368-AA (approved December 31, 2003).
- [203](#) Amended, 1979 Ordinances, p. 233.
- [204](#) Amended, 1979 Ordinances, p. 233.
- [205](#) Added, 1979 Ordinances, p. 233.
- [206](#) Added, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [207](#) Added, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [208](#) Added, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [209](#) Added, 1979 Ordinances, p. 233; amended and renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [210](#) Added, 1979 Ordinances, p. 233; amended and renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [211](#) Enrolled bill read "§ 14-312(1)", which was subsequently renumbered by 1994 Ordinances, p. 1028.
- [212](#) Amended and subsections added, 1991 Ordinances, p. 1253.
- [213](#) Amended, 1987 Ordinances, p. 1120.
- [214](#) Amended, 1991 Ordinances, p. 1379.
- [215](#) Added, Bill No. 010368-AA (approved December 31, 2003).

- [216](#) Added and subsequent subsections renumbered, Bill No. 060582-A (became law December 7, 2006).
- [217](#) Amended, 1970 Ordinances, p. 512.
- [218](#) Amended, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [219](#) Amended, 1971 Ordinances, p. 572.
- [220](#) Referenced material now appears in Title 4, Subcode F.
- [221](#) Amended, 1969 Ordinances, p. 1656.
- [222](#) Added and subsequent subsections renumbered, Bill No. 060582-A (became law December 7, 2006).
- [223](#) Added, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [224](#) Amended by deleting subsection (d) and (e), 1991 Ordinances, p. 1253; renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [225](#) Renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [226](#) Renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [227](#) Added, 1991 Ordinances, p. 1253; renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [228](#) Amended, 1991 Ordinances, p. 1379.
- [229](#) Renumbered, 1991 Ordinances, p. 1253; renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581. Subsections (a) through (f) (added, 1961 Ordinances, p. 698) were inadvertently omitted in prior editions of the Code.
- [230](#) Amended, 1971 Ordinances, p. 570.
- [230.1](#) This corrects a typographical error in the Code, which incorrectly printed "hoopy" in prior publications.
- [231](#) Amended, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [232](#) Referenced material now appears in Title 4, Subcode F.
- [233](#) Amended, Bill No. 040999 (approved February 16, 2005).
- [234](#) Added, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [235](#) Amended by deleting subsections (b) and (c), 1991 Ordinances, p. 1253; renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [236](#) Renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [237](#) This subsection was inadvertently omitted in printing the main volume of the Sixth Edition of the Code due to an editing error in 1991. See note for Section 14-309(6). Renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [238](#) Enrolled bill read "§ 14-312(1)", which was subsequently renumbered by 1994 Ordinances, p. 1028.
- [239](#) Added, 1991 Ordinances, p. 1253. Enrolled bill numbered this as subsection (5); renumbered by Code editor because subsection (5) already existed. Renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [240](#) Amended, 1991 Ordinances, p. 1379.
- [241](#) Renumbered, 1991 Ordinances, p. 1253. Renumbered again by Code editor due to editing error. See note for subsection (7). Renumbered, Bill No. 1081 (approved May 5, 1995), 1995 Ordinances, p. 581.
- [242](#) Added and former Section 14-312 renumbered to Section 14-313, 1994 Ordinances, p. 1028.

- [243](#) Added, Bill No. 950522 (approved December 12, 1995), 1995 Ordinances, p. 1303.
- [244](#) Added, Bill No. 030719 (approved December 18, 2003).
- [245](#) Added, 1994 Ordinances, p. 1028.
- [246](#) Added, 1994 Ordinances, p. 1028; amended, Bill No. 950522 (approved December 12, 1995), 1995 Ordinances, p. 1303; amended, Bill No. 960363 (approved July 8, 1996), 1996 Ordinances, p. 692.
- [247](#) Enrolled bill erroneously read "used".
- [248](#) Amended, Bill No. 030719 (approved December 18, 2003).
- [249](#) Enrolled Bill No. 000548 read "is".
- [250](#) Added, Bill No. 000548 (approved June 14, 2001).
- [251](#) Added, Bill No. 960292 (approved July 8, 1996), 1996 Ordinances, p. 664.
- [252](#) Enrolled bill contained no comma. Bill No. 960292 (approved July 8, 1996), 1996 Ordinances, p. 664.
- [253](#) Enrolled bill contained no comma. Bill No. 960292 (approved July 8, 1996), 1996 Ordinances, p. 664.
- [254](#) Provisions relating to decks and patios added by Bill No. 960311 (approved July 5, 1996), 1996 Ordinances, p. 574, were inadvertently printed in Seventh Edition as part of Section 14-312.s That material now appears at Section 14-313(3).
- [255](#) Renumbered, 1994 Ordinances, p. 1028.
- [256](#) Amended, 1991 Ordinances, p. 1102. Section 3 of the Ordinance amending this Section states: "Effective Date. This Ordinance shall be effective on January 1, 1992. In any application submitted to the Department of Licenses and Inspections between January 1, 1992 and January 1, 1993, the applicant may elect to conform to this Ordinance or to the requirements and regulations of the Zoning Code in effect prior to December 31, 1991."
- [257](#) Added, Bill No. 960311 (approved July 5, 1996), 1996 Ordinances, p. 574. This subsection inadvertently printed in Seventh Edition as part of § 14-312.